

NOTICE OF MEETING  
PLANNING COMMISSION  
CITY OF ST. GEORGE  
WASHINGTON COUNTY, UTAH

Public Notice

Notice is hereby given that the Planning Commission of the City of St. George, Washington County, Utah, will hold a **Planning Commission** meeting in the City Council Chambers, 175 East 200 North, St George, Utah, on Tuesday, **April 28, 2015**, commencing at **5:00 p.m.**

---

The agenda for the meeting is as follows:

Call to Order  
Flag Salute

1. **ZONE CHANGE AMENDMENT (ZCA)**

Consider a zone change amendment request on one (1) acre of property zoned PD-C (Planned Development Commercial) to accommodate the future development of a sprinkler supply retail store. The property is generally located east of the I-15 Freeway and north of 300 South Street. The owner is GMG II Investments LLC, the applicant is Mr. Mike Canning, and the representatives are Mr. Brandon Dawson, Dawson Development LLC. And Mr. David Peterson, Excell Engineering. Case No. 2015-ZCA-009 (Staff – Ray Snyder).

2. **ZONE CHANGE (ZC)**

Consider a zone change request to rezone from A-1 (Agricultural) to R-1-8 (Single Family Residential 8,000 sq. ft. minimum lot size) on 20.66 acres to accommodate future residential development of “The Arbors.” The property is generally located in Little Valley east of 3000 East Street, and north of the logical extension of Crimson Ridge Drive (*The property is located in the SE ¼ of Section 10, T43S, R15W, SLB&M*). The property is also located directly east of Oakwood Estates and Tupelo Estates. The owner and applicant is Development Solutions Group and the representative is Mr. Steve Kamlowksy. Case No. 2015-ZC-011 (Staff – Ray Snyder).

3. **PRELIMINARY PLATS (PP)**

A. Consider approval of a preliminary plat for a three (3) lot residential subdivision for “**Meadows Edge Phase 1.**” The owner is Development Solutions and the representative is Mr. Logan Blake. The property is zoned A-1 (Agricultural) and is located at 3910 South Bentley Road. Case No. 2015-PP-013. (Staff – Wes Jenkins).

- B. Consider approval of a preliminary plat for a total of one hundred and sixty-six (166) residential units in nine residential subdivision phases for **“Sun River Phases 49 - 57.”** The owner is Sun River St George, the applicant is Rosenberg Associates, and the representative is Mr. Matt Kelvington. The property is zoned PD-R (Planned Development Residential) and is located on 48.40 acres at approximately 4300 Pioneer Drive. Case No. 2015-PP-012. (Staff – Wes Jenkins).
- C. Consider approval of a preliminary plat for a sixty (60) lot residential subdivision for **“The Villas at Cottam Ridge.”** The owner is Wright Homes and the representative is Mr. Derek Wright. The property is zoned PD-R (Planned Development Residential) and is located at River road and 1850 South. Case No. 2015-PP-014. (Staff – Wes Jenkins).

4. **MINUTES**

Consider approval of the minutes from the February 24 and March 10, 2015 meetings.

5. **DISCUSSION / TRAINING**

- 1. General Plan Amendments.
- 2. Public Clamor

Reasonable Accommodation: The City of St. George will make efforts to provide reasonable accommodations to disabled members of the public in accessing City programs. Please contact the City Human Resources Office at (435) 627-4674 at least 24 hours in advance if you have special needs.

# ITEM 1

## Zone Change Amendment

PLANNING COMMISSION AGENDA REPORT: 4/28/2015

### ZONE CHANGE AMENDMENT

#### **Sprinkler Supply**

Case No. 2015-ZCA-009

- Request:** This is a request to consider a zone change amendment on approximately one (1) acre of property zoned PD-C (Planned Development Commercial) to accommodate the future development of a sprinkler supply retail store.
- Background:** Currently Sprinkler Supply has a site located at Black Ridge Drive and 1600 South Street (near the Stephen Wade dealership), but has outgrown that current site.
- Project Name:** "Sprinkler Supply"
- Owner:** GMG II Investments LLC
- Applicant:** Mr. Mike Canning
- Representative(s):** Mr. Brandon Dawson  
Dawson Development LLC.  
  
Mr. David Peterson  
Excell Engineering  
12 West 100 North #201  
American Fork, UT 84003
- Location:** The property is generally located east of the I-15 Freeway and north of 300 South Street.
- Acreage:** 1 acre
- Zoning:** PD-C
- Adjacent zones:** To the north is PD-C (Serv Pro).  
To the east and south is R3 (high density residential units).  
To the west is the I-15 Freeway.

**Building:**

It is proposed to construct a 6,000 sq. ft. twenty-eight foot (28') high building.

**Ordinance:**

This project is submitted for review in compliance with Section 10-8-6 "Commercial / Manufacturing Development Standards."

**Comments:**

1. Written Text – In compliance with Section 10-8-4, a written text has been provided by the applicant which details and describes the project (see attached).
2. Narrative – The applicant has provided a short narrative to provide an overview to this project (see attached).
3. Use List – The only use requested for this site is for a sprinkler supply business (no use list submitted).
4. Roadway(s) - The developer will be responsible for installing any required roadway improvement in 300 South Street (per Public Works Department) .
5. Design – Building elevations, colors, and materials have been provided for review and discussion.
6. SPR - A SPR (Site Plan Review) application and plans shall be submitted and approved by staff (*the SPR is the civil engineering plan set*).
7. Setbacks – The required setbacks in the PD-C zone are:  
Front – 25 ft.  
Side – 10 ft.  
Rear – 10 ft.
8. Fencing – Height – A fence may not exceed 6 ft. (an 8 ft. fence is not permitted)
9. Fencing – by Residential – A 6 ft. block wall is required to separate residential properties (Section 10-18-5.E and Section 10-8-6.K). There is an existing block wall to the east (next to the residential zone)
10. Landscaping next to Residential – A 10 ft. L/S area is required next to any residential property (Section 10-8-6.K)
11. Fencing – Front Yard - A 6 ft. wall is permitted in the rear and side yards, but not in the front setback area (Section 10-18-2.A & 10-18-3.A) (Note: a fence no higher than 4 ft. and 50% see through is allowed in the front setback area)
12. Fencing – Screening Storage – a 6 ft. sight obscuring wall is required in the PD-C zone to screen any outside storage (Section 10-8-6.H)
13. Parking – The City's standard for parking (Section 10-19-5) requires:  
1:250
14. Drainage – A drainage study and plan will be provided to staff as a part of the civil engineering plan review process.



15. C.O. – It is proposed that no C.O. (Certificate of Occupation) shall be approved until all improvements are installed per approved developments civil and construction plans.
16. Lighting – No information has been provided for site lighting. With the submittal of a SPR application, a photometric plan will be required.
17. Landscaping - With the submittal of a SPR application, a landscape and irrigation plan will be required
18. Building – 6,000 sq. ft. and 28 ft. high.

**Options:**

The Planning Commission has several options:

1. Deny the zone change
2. Approve the zone change as presented
3. Approve the zone change with additional conditions
4. Table the zone change to allow for additional information to be provided as determined.

**EXAMPLE**

**Motion to Approve:**

Note that any motion to approve this planned development zone change will need to include:

1. Acreage - The zoning on the entire zone change amendment area is recommended for approval (PD-C) on 1 acre.
2. Use List - The only use requested is for a sprinkler supply business.
3. Building - The building elevations, colors and materials are recommended for approval as presented.
4. Landscaping - The landscaping is recommended for approval as presented with the addition of a 10 ft. landscape strip between the site and the residential zone to the east. Trees shall be installed to adequately screen the site from residential use (Section 10-8-6.K). Palm trees are not an approved street tree along 300 South Street. Turf is discouraged in the L/S area(s).
5. Option "A" Landscaping along Freeway – a 15 ft. wide landscaping area with 50% live vegetation and with live trees shall be installed along the freeway frontage behind the applicant's property line. Immediately past the 15 ft. L/S area a 6 ft. solid wall will be placed to screen any outside storage.
6. Fencing – All fencing shall meet the requirements of the Zoning Ordinance; all outside storage shall be screened with a solid sight obscuring fence. No fence shall exceed 6 ft. in the side or rear yard. No fence shall exceed 4 ft within the front setback area.
7. Signage – The site shall comply with the Sign Ordinance.
8. Other Conditions - Any other conditions the PC deems appropriate.

9. SPR - The applicant shall provide a SPR (Site Plan Review) application along with the required civil engineering plan set (Cover sheet, site plan, utility plan, drainage plan, grading plan, landscape plan, irrigation plan, detail sheets, photometric plan, etc.)
10. Roadways - 300 South Street shall be developed along the front of the property in compliance with the Master Road Plan.
11. Setbacks - All setbacks shall comply with the Zoning Ordinance
12. Parking - All parking shall comply with the Zoning Ordinance.
13. Lighting - The applicant shall submit a photometric plan with the SPR submittal (civil plan set)

## Sprinkler Supply - Written Text

In compliance with Section 10-8-4 of the Zoning Ordinance, the City of St George requires a written text to be submitted with a PD-C (Planned Development Commercial) zone change application. The following is the written text for the Sprinkler Supply project:

- A. Use Of Land: The projected use of land, including percentages of land devoted to various types of land use, such as building coverage, parking area, landscaped area, etc.:

The proposed use of this project is for a new sprinkler supply retail store to be located on 1 acre. The existing store location has been sold and a new building will be constructed at this location. The store will supply sprinkler and landscaping supply needs. The building covers 6,000 s.f., 14 parking spaces are required and provided (with a data box breakdown provided on the site plan), and 5,700 s.f. of landscaping area is provided in the required 15' landscape setback area.

- B. Height and Elevations: The text shall indicate the type, character and proposed height of all buildings. The plot plan, elevations and perspective drawings may be prepared as necessary by the applicant to help the planning commission and city council to better understand the proposal.

The maximum building height of the Sprinkler Supply Store will be 28 feet. The building will be approximately 6,000 square feet. Elevations along with colored renderings of building have been provided to illustrate the proposal.

- C. Density: The density in terms of dwelling units per gross acre of land shall be indicated.

N/A – This is a commercial sprinkler supply company project and residential density is not applicable.

- D. Schools, Churches And Open Spaces: The location of any proposed school sites, churches, parks or other common or open spaces shall be identified.

There are no school sites or churches planned with this project. The closest church is 1,000 feet away and the closest school is 2,200 feet away. The closest Park is 1,800 feet away.

- E. Phasing Plan: A phasing plan, if the development is proposed to be developed in phases, shall be submitted.

No phasing is planned. The entire site will be constructed in a single phase.

- F. Topography: Topography at contour intervals of two feet (2') shall be submitted unless waived by the planning staff.

Topographical information will be provided in the grading plan. Generally the site is flat and slopes towards the South. The topography is provided on the Record of Survey included with the Zone Change application. The grading plan will be submitted with the civil engineering plans as a part of the SPR (Site Plan Review) application

- G. Landscape Plan: A landscape plan showing the general location of lawn area and trees shall be submitted (this may be a part of the site or plot plan).

A landscape plan has been provided. All landscaping shall comply with Title 10 Chapter 25 "Landscaping" of the St George Zoning Ordinance.

- H. Area Reserved for Landscaping: The amount of land area reserved for landscaping shall be indicated.

5,700 s.f. of landscaping area is provided in the required 15' landscape setback area.

- I. Utilities: All utilities shall be underground unless otherwise approved by the city council and upon recommendation of the water and power director. Transformer equipment shall be screened from streets and from adjacent properties.

Utility design will be submitted with the civil engineering plans as part of the SPR (Site Plan Review) application and all utilities will be underground as required.

- J. Refuse Storage Areas: Refuse storage areas shall be screened so that materials stored within these areas shall not be visible from access streets, freeways and adjacent properties.

Refuse areas and containers shall be shown on the site plan. The trash container will be placed in the sprinkler supply yard and will be screened by the sight-obscuring fence that will be placed around the project.

- K. Lighting Plan: The plans submitted shall include a general lighting plan indicating location of lights to be installed on the site.

A photometric plan shall be submitted with the civil engineering plans as a part of the SPR (Site Plan Review) application. All lighting shall be demonstrated to be 'dark sky style' friendly. Lighting plans shall also be provided in the electrical plans included in the construction plans. All lighting locations will be provided along with type of fixtures.

- L. Turning Space: Safe and convenient turning space shall be provided for cars, sewer vehicles, refuse collection vehicles, firefighting equipment, etc., at the end of private drives and dead end streets. (1998 Document § 17-4; amd. 2003 Code)

Traffic circulation details will be provided as a part of the SPR (Site Plan Review) application. Safe and convenient turning space shall be demonstrated for cars, trucks, sewer vehicles, refuse collection vehicles, firefighting equipment, etc.

M. Signs: Overall sign program if proposed signage differs from what is allowed as outlined in the sign ordinance set forth in title 9, chapter 13 of this code. (Ord. 1-3-2000, 1-20-2000)

Any signs proposed for this project will comply with the sign ordinance as set forth in Title 9, Chapter 13. Sign details and design will be submitted as part of the SPR (Site Plan Review) application.

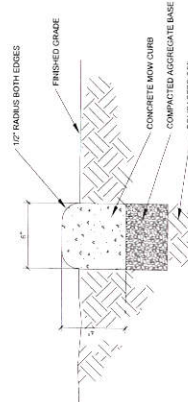
**Sprinkler Supply Company** has been providing top quality irrigation products, landscaping supplies and repair parts to contractors, grounds maintenance professionals, and residential customers since 1982.

People look to us for the very best names in commercial-grade sprinklers, landscape lighting, water features, pavers. Our in-house experts specialize in support for landscape professionals, estimates, consultation, troubleshooting for a wide variety of industries,









04-06-2015		PROJECT NUMBER		UT15002	
NO.	REVISION	DATE			
1	XXXX	XXXXXX			
2					
3					
4					
5					
6					
7					
8					
9					



BLUE STAKES OF UTAH  
1-800-868-2111  
P.O. BOX 100000  
SALT LAKE CITY, UT 84110



81°



0' 20' 40' 60' 80' 100'

GRAPHIC SCALE 1" = 20'

DATE: 04-06-2015

PROJECT NUMBER: UT15002

45 "B" "

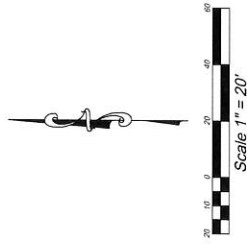







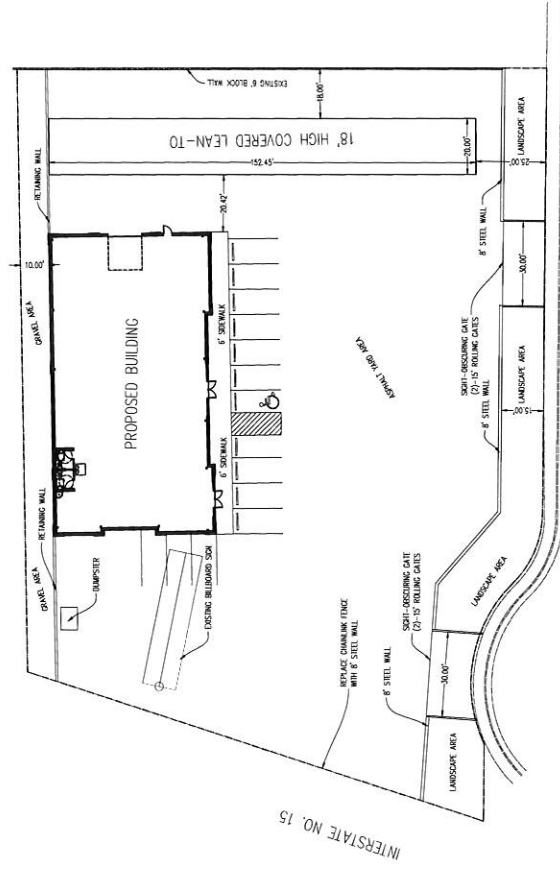
[illegible]

**PARKING TABULATIONS:**  
 BUILDING SQUARE FOOTAGE = 6,000 S.F.  
 RETAIL/Office = 600 S.F. AT 1 STALL/250 S.F. = 3 STALLS  
 WAREHOUSE = 5,400 S.F. AT 1 STALL/300 S.F. = 11 STALLS  
 TOTAL PARKING REQUIRED = 14 STALLS  
 TOTAL PARKING PROVIDED = 16 STALLS



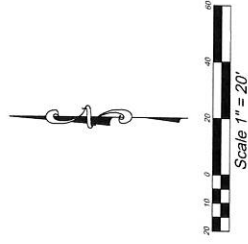
CURRENT PROPERTY ZONING IS:		TOWN CENTER ZONING	
Map	Scale	Description	
Developer/Property Owner: Sprinkler Supply		S.I. Sprinkler	
700 South 1410 West West Jordan, UT 84088		UTAH	
 David W. Peterson, P.E., Licensed Professional Engineer 12 West 400 North, Suite 200, American Fork, UT 84003 P.O. Box 157, Sny Lehigh, PA 18229		Date: 11-20-07 Title: C1	
Drawn By: D.W.P. Checked By: D.W.P. Scale: 1"=20' Project No: 07-02-175		SITE PLAN - OPTION B	

# SPRINKLER SUPPLY



300 SOUTH STREET

**PARKING TABULATIONS:**  
BUILDING SQUARE FOOTAGE = 6,000 S.F.  
RETAIL/OFFICE = 600 S.F. AT 1 STALL/250 S.F.  
WAREHOUSE = 5,400 S.F. AT 1 STALL/200 S.F.  
TOTAL PARKING REQUIRED = 14 STALLS  
TOTAL PARKING PROVIDED = 14 STALLS

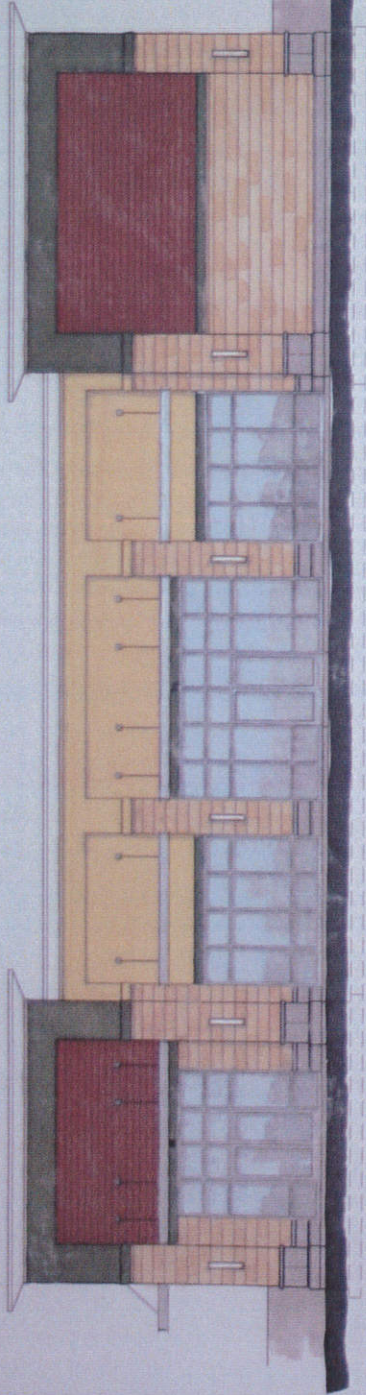


CURRENT PROPERTY ZONING: PD-C

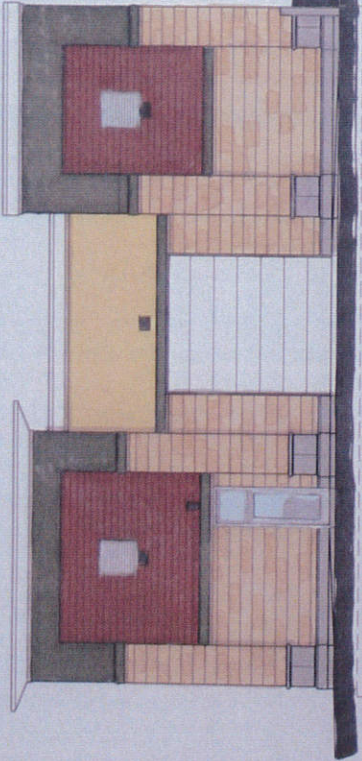
[illegible]



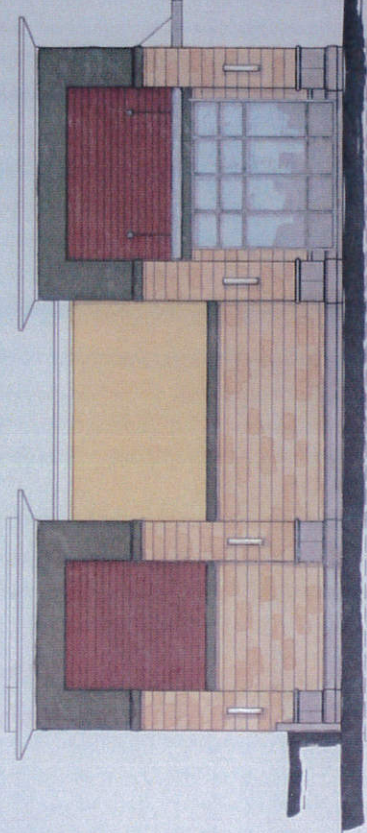




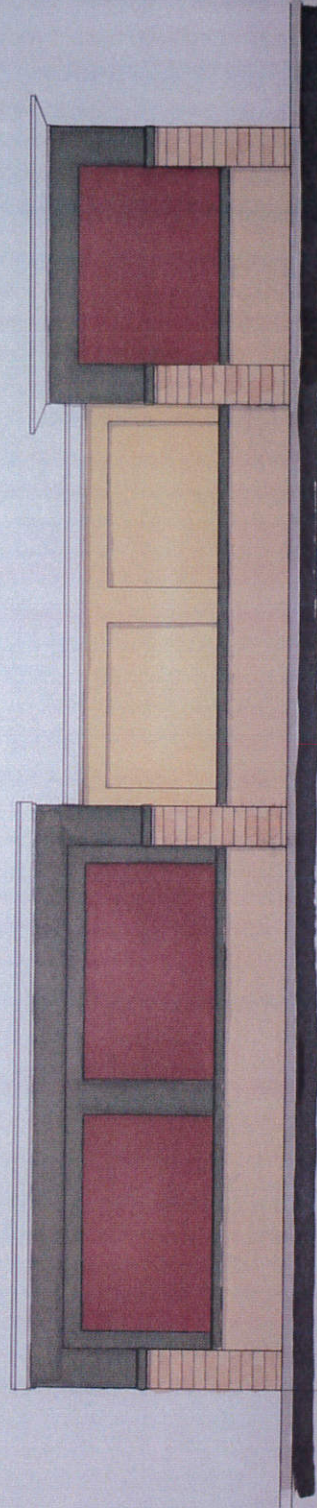
1 SOUTH ELEVATION  
SCALE 3/16"=1'-0"



1 EAST ELEVATION  
SCALE 2"



3 WEST ELEVATION  
SCALE 3/16"=1'-0"



4 NORTH ELEVATION  
SCALE 3/16"=1'-0"









Nelson-Howden & Associates

architects / planners  
200 east main st.  
suite 200  
salt lake city, ut 84103  
tel 801-462-8000  
fax 801-462-8001

# SPRINKLER SUPPLY ST. GEORGE STORE 1120 E. 300S. ST. GEORGE, UTAH

FLOOR PLAN

drawing title:

date: 04/06/15

sheet: a1.0

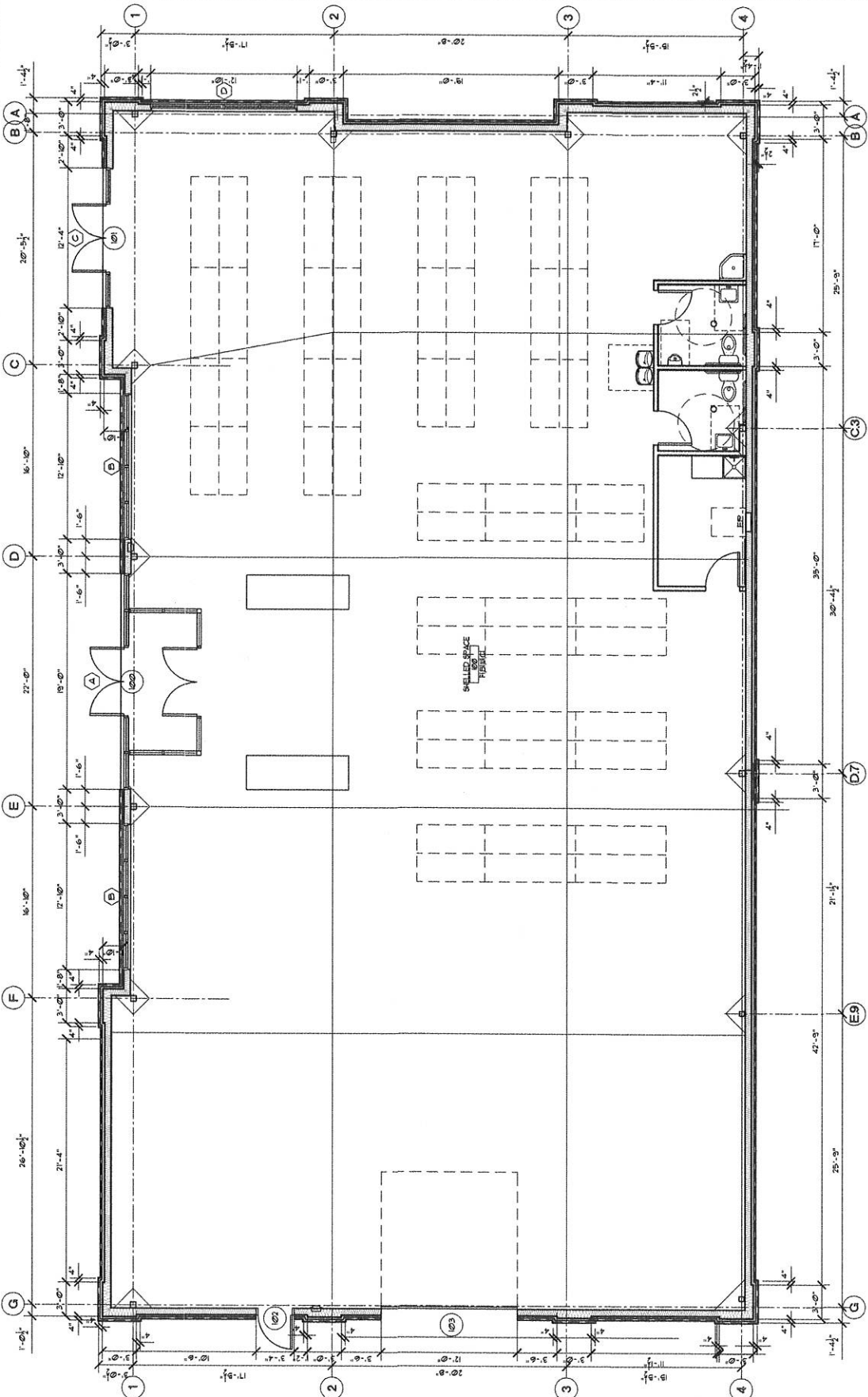
SCALE VERIFICATION

0' 1' 2' 3' 4' 5' 6' 7' 8' 9' 10'

FULL  
HALF  
N.T.S.  
24X36  
12X18  
OTHER



1 FLOOR PLAN  
SCALE 1/4"=1'-0"





**SPRINKLER SUPPLY**  
**ST. GEORGE STORE**  
 1129 E. 300S. ST. GEORGE, UTAH

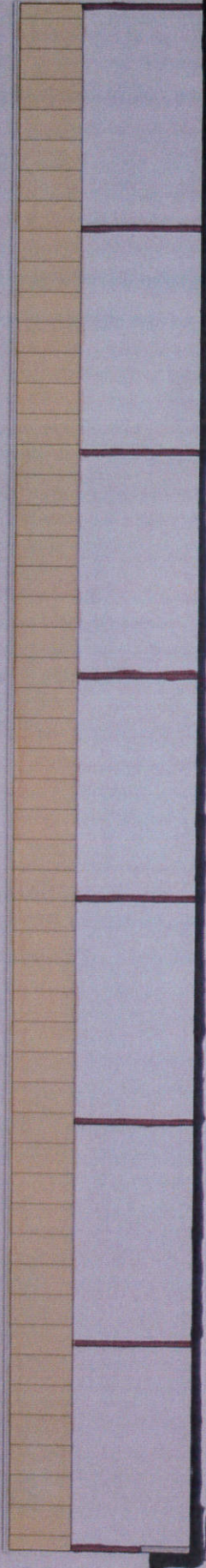
EXTERIOR ELEVATIONS

date: 04/06/15  
 sheet: a2.0

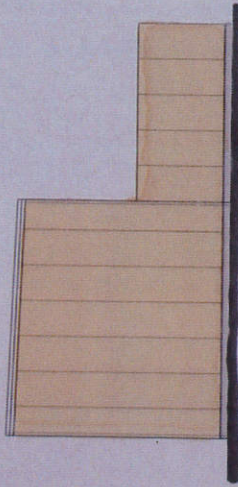
SCALE VERIFICATION  
 1" = 1'-0"  
 1/4" = 3'-0"  
 1/8" = 6'-0"  
 1/16" = 12'-0"  
 1/32" = 24'-0"  
 1/64" = 48'-0"  
 1/128" = 96'-0"  
 1/256" = 192'-0"  
 1/512" = 384'-0"  
 1/1024" = 768'-0"  
 1/2048" = 1536'-0"  
 1/4096" = 3072'-0"  
 1/8192" = 6144'-0"  
 1/16384" = 12288'-0"  
 1/32768" = 24576'-0"  
 1/65536" = 49152'-0"  
 1/131072" = 98304'-0"  
 1/262144" = 196608'-0"  
 1/524288" = 393216'-0"  
 1/1048576" = 786432'-0"  
 1/2097152" = 1572864'-0"  
 1/4194304" = 3145728'-0"  
 1/8388608" = 6291456'-0"  
 1/16777216" = 12582912'-0"  
 1/33554432" = 25165824'-0"  
 1/67108864" = 50331648'-0"  
 1/134217728" = 100663296'-0"  
 1/268435456" = 201326592'-0"  
 1/536870912" = 402653184'-0"  
 1/1073741824" = 805306368'-0"  
 1/2147483648" = 1610612736'-0"  
 1/4294967296" = 3221225472'-0"  
 1/8589934592" = 6442450944'-0"  
 1/17179869184" = 12884901888'-0"  
 1/34359738368" = 25769803776'-0"  
 1/68719476736" = 51539607552'-0"  
 1/137438953472" = 103079215104'-0"  
 1/274877906944" = 206158430208'-0"  
 1/549755813888" = 412316860416'-0"  
 1/1099511627776" = 824633720832'-0"  
 1/2199023255552" = 1649267441664'-0"  
 1/4398046511104" = 3298534883328'-0"  
 1/8796093022208" = 6597069766656'-0"  
 1/17592186044416" = 13194139533312'-0"  
 1/35184372088832" = 26388279066624'-0"  
 1/70368744177664" = 52776558133248'-0"  
 1/140737488355328" = 105553116266496'-0"  
 1/281474976710656" = 211106232532992'-0"  
 1/562949953421312" = 422212465065984'-0"  
 1/1125899906842624" = 844424930131968'-0"  
 1/2251799813685248" = 1688849860263936'-0"  
 1/4503599627370496" = 3377699720527872'-0"  
 1/9007199254740992" = 6755399441055744'-0"  
 1/18014398509481984" = 13510798882111488'-0"  
 1/36028797018963968" = 27021597764222976'-0"  
 1/72057594037927936" = 54043195528445952'-0"  
 1/144115188075855872" = 108086391056891904'-0"  
 1/288230376151711744" = 216172782113783808'-0"  
 1/576460752303423488" = 432345564227567616'-0"  
 1/1152921504606846976" = 864691128455135232'-0"  
 1/2305843009213693952" = 1729382256910270464'-0"  
 1/4611686018427387904" = 3458764513820540928'-0"  
 1/9223372036854775808" = 6917529027641081856'-0"  
 1/18446744073709551616" = 13835058055282163712'-0"  
 1/36893488147419103232" = 27670116110564327424'-0"  
 1/73786976294838206464" = 55340232221128654848'-0"  
 1/147573952589676412928" = 110680464442257309696'-0"  
 1/295147905179352825856" = 221360928884514619392'-0"  
 1/590295810358705651712" = 442721857769029238784'-0"  
 1/1180591620717411303424" = 885443715538058477568'-0"  
 1/2361183241434822606848" = 1770887431076116955136'-0"  
 1/4722366482869645213696" = 3541774862152233910272'-0"  
 1/9444732965739290427392" = 7083549724304467820544'-0"  
 1/18889465931478580854784" = 14167099448608935641088'-0"  
 1/37778931862957161709568" = 28334198897217871282176'-0"  
 1/75557863725914323419136" = 56668397794435742564352'-0"  
 1/151115727451828646838272" = 113336795588871485128704'-0"  
 1/302231454903657293676544" = 226673591177742970257408'-0"  
 1/604462909807314587353088" = 453347182355485940514816'-0"  
 1/1208925819614629174706176" = 906694364710971881029632'-0"  
 1/2417851639229258349412352" = 1813388729421943762059264'-0"  
 1/4835703278458516698824704" = 3626777458843887524118528'-0"  
 1/9671406556917033397649408" = 7253554917687775048237056'-0"  
 1/19342813113834066795298816" = 14507109835375550096474112'-0"  
 1/38685626227668133590597632" = 29014219670751100192948224'-0"  
 1/77371252455336267181195264" = 58028439341502200385896448'-0"  
 1/154742504910672534362390528" = 116056878683004400771792896'-0"  
 1/309485009821345068724781056" = 232113757366008801543585792'-0"  
 1/618970019642690137449562112" = 464227514732017603087171584'-0"  
 1/1237940039285380274899124224" = 928455029464035206174343168'-0"  
 1/2475880078570760549798248448" = 1856910058928070412348686336'-0"  
 1/4951760157141521099596496896" = 3713820117856140824697372672'-0"  
 1/9903520314283042199192993792" = 7427640235712281649394745344'-0"  
 1/19807040628566084398385987584" = 14855280471424563298789490688'-0"  
 1/39614081257132168796771975168" = 29710560942849126597578981376'-0"  
 1/79228162514264337593543950336" = 59421121885698253195157962752'-0"  
 1/158456325028528675187087900672" = 118842243771396506390315925504'-0"  
 1/316912650057057350374175801344" = 237684487542793012780631851008'-0"  
 1/633825300114114700748351602688" = 475368975085586025561263702016'-0"  
 1/1267650600228229401496703205376" = 950737950171172051122527404032'-0"  
 1/2535301200456458802993406410752" = 1901475900342344102245054808064'-0"  
 1/5070602400912917605986812821504" = 3802951800684688204490109616128'-0"  
 1/10141204801825835211973625643008" = 7605903601369376408980219232256'-0"  
 1/20282409603651670423947251286016" = 15211807202738752817960438464512'-0"  
 1/40564819207303340847894502572032" = 30423614405477505635920876929024'-0"  
 1/81129638414606681695789005144064" = 60847228810955011271841753858048'-0"  
 1/162259276829213363391578010288128" = 121694457621910022543683507716096'-0"  
 1/324518553658426726783156020576256" = 243388915243820045087367015432192'-0"  
 1/649037107316853453566312041152512" = 486777830487640090174734030864384'-0"  
 1/1298074214633706907132624082305024" = 973555660975280180349468061728768'-0"  
 1/2596148429267413814265248164610048" = 1947111321950560360698936123457536'-0"  
 1/5192296858534827628530496329220096" = 3894222643901120721397872246915072'-0"  
 1/10384593717069655257060992658440192" = 7788445287802241442795744493830144'-0"  
 1/20769187434139310514121985316880384" = 15576890575604482885591488987660288'-0"  
 1/41538374868278621028243970633760768" = 31153781151208965771182977975320576'-0"  
 1/83076749736557242056487941267521536" = 62307562302417931542365955950641152'-0"  
 1/166153499473114484112975882535043072" = 124615124604835863084731911901282304'-0"  
 1/332306998946228968225951765070086144" = 249230249209671726169463823802564608'-0"  
 1/664613997892457936451903530140172288" = 498460498419343452338927647605129216'-0"  
 1/1329227995784915872903807060280344576" = 996920996838686904677855295210258432'-0"  
 1/2658455991569831745807614120560689152" = 1993841993677373809355710590420516864'-0"  
 1/5316911983139663491615228241121378304" = 3987683987354747618711421180841033728'-0"  
 1/10633823966279326983230456482242756608" = 7975367974709495237422842361682067456'-0"  
 1/21267647932558653966460912964485513216" = 15950735949418990474845684723364134912'-0"  
 1/42535295865117307932921825928971026432" = 31901471898837980949691369446728269824'-0"  
 1/85070591730234615865843651857942052864" = 63802943797675961899382738893456539648'-0"  
 1/170141183460469231731687303715884105728" = 127605887595351923798765477786913079296'-0"  
 1/340282366920938463463374607431768211456" = 255211775190703847597530955573826158592'-0"  
 1/680564733841876926926749214863536422912" = 510423550381407695195061911147652317184'-0"  
 1/1361129467683753853853498429727072845824" = 1020847100762815390390123822295304634368'-0"  
 1/2722258935367507707706996859454145691536" = 2041694201525630780780247644590609268736'-0"  
 1/5444517870735015415413993718908291383072" = 4083388403051261561560495289181218537472'-0"  
 1/10889035741470030830827987437816582766144" = 8166776806102523123120990578362437074944'-0"  
 1/21778071482940061661655974875633165532288" = 16333553612205046246241981156724874149888'-0"  
 1/43556142965880123323311949751266331064576" = 32667107224410092492483962313449748299776'-0"  
 1/87112285931760246646623899502532662129152" = 65334214448820184984967924626899496599552'-0"  
 1/174224571863520493293247799005065324258304" = 130668428897640369969935849253798993199104'-0"  
 1/348449143727040986586495598010130648516608" = 261336857795280739939871698507597986398208'-0"  
 1/696898287454081973172991196020261297033216" = 522673715590561479879743397015195972796416'-0"  
 1/1393796574908163946345982392040522594066432" = 1045347431181122959759486794030391945592832'-0"  
 1/2787593149816327892691964784081045188132864" = 2090694862362245919518973588060783891185664'-0"  
 1/5575186299632655785383929568162090376265728" = 4181389724724491839037947176121567782371328'-0"  
 1/11150372599265311570767859136324180752531456" = 8362779449448983678075894352243135564742656'-0"  
 1/22300745198530623141535718272648361505062912" = 16725558898897967356151788704486271129485312'-0"  
 1/44601490397061246283071436545296723010125824" = 33451117797795934712303577408972542258970624'-0"  
 1/89202980794122492566142873090593446020251648" = 66902235595591869424607154817945084517941248'-0"  
 1/178405961588244985132285746181186892040503296" = 133804471191183738849214309635890169035882592'-0"  
 1/356811923176489970264571492362373784081006592" = 267608942382367477698428619271780338071765184'-0"  
 1/713623846352979940529142984724747568162013184" = 535217884764734955396857238543560676143530368'-0"  
 1/1427247692705959881058285969449495136324026368" = 1070435769529469910793714477087121352287060736'-0"  
 1/2854495385411919762116571938898990272648052736" = 2140871539058939821587428954174242704574121472'-0"  
 1/5708990770823839524233143877797980545296105472" = 4281743078117879643174857908348485409148242944'-0"  
 1/11417981541647679048466287755595961090592210944" = 8563486156235759286349715816696970818296485888'-0"  
 1/22835963083295358096932575511191922181184421888" = 17126972312471518572699431633393941636592971776'-0"  
 1/45671926166590716193865151022383844362368843776" = 34253944624943037145398863266787883273185943552'-0"  
 1/91343852333181432387730302044767688724737687552" = 68507889249886074290797726533575766546371887104'-0"  
 1/182687704666362864775460604089535377449475375104" = 137015778499772148581595453067151533092743774208'-0"  
 1/365375409332725729550921208179070754898950750208" = 274031556999544297163190906134303066185487548416'-0"  
 1/730750818665451459101842416358141509797901500416" = 548063113999088594326381812268606132371975096832'-0"  
 1/1461501637330902918203684832716283019595803000832" = 1096126227998177188652763624537212264743950193664'-0"  
 1/2923003274661805836407369665432566039191606001664" = 2192252455996354377305527249074424529487900387328'-0"  
 1/5846006549323611672814739330865132078383212003328" = 4384504911992708754611054498148849058975800774656'-0"  
 1/11692013098647223345629478661730264156766424006656" = 8769009823985417509222108996297698117951601549312'-0"  
 1/23384026197294446691258957323460528313532848013312" = 17538019647970835018444217992595396235903203098624'-0"  
 1/46768052394588893382517914646921056627065696026624" = 35076039295941670036888435985190792471806406197248'-0"  
 1/93536104789177786765035829293842113254131392053248" = 70152078591883340073776871970381584943612812394496'-0"  
 1/18707220957835557353007165858768422650826278410696" = 140304157183766680147553743940763169887225624788992'-0"  
 1/37414441915671114706014331717536845301652556821392" = 280608314367533360295107487881526339774451249577984'-0"  
 1/74828883831342229412028663435073690603305113642784" = 561216628735066720590214975763052679548902499155968'-0"  
 1/149657767662684458824057326870147381206610227285568" = 1122433257470133441180429951526105359097804998311936'-0"  
 1/299315535325368917648114653740294762413220454571136" = 2244866514940266882360859903052210718195609996623872'-0"  
 1/598631070650737835296229307480589524826440909142272" = 4489733029880533764721719806104421436391219993247744'-0"  
 1/1197262141301475670592458614961179049652881818284544" = 8979466059761067529443439612208842872782439986495488'-0"  
 1/2394524282602951341184917229922358099305763636569088" = 17958932119522135058886879224417685745564879972990976'-0"  
 1/4789048565205902682369834459844716198611527273138176" = 35917864239044270117773758448835371491129759945981952'-0"  
 1/9578097130411805364739668919689432397223054546276352" = 71835728478088540235547516897670742982259519891963904'-0"  
 1/19156194260823610729479337839378864794446109092552704" = 143671456956177080471095033795341485964519039783927808'-0"  
 1/38312388521647221458958675678757729588892218185105408" = 28734291391235416094219006759068297192903807



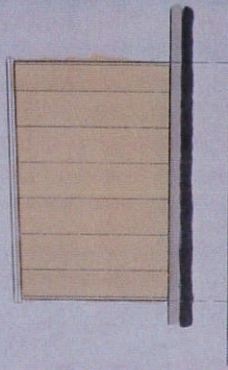




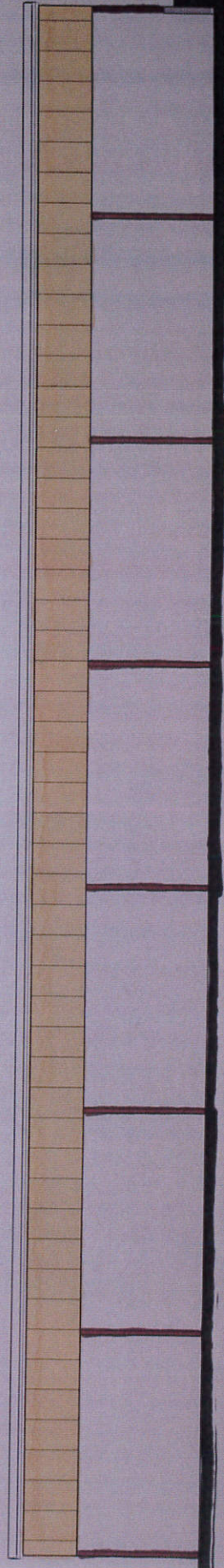
1 WEST ELEVATION  
SCALE 3/16" = 1'-0"



1 SOUTH ELEVATION  
SCALE 3/16" = 1'-0"







1 NORTH ELEVATION  
SCALE 3/16" = 1'-0"

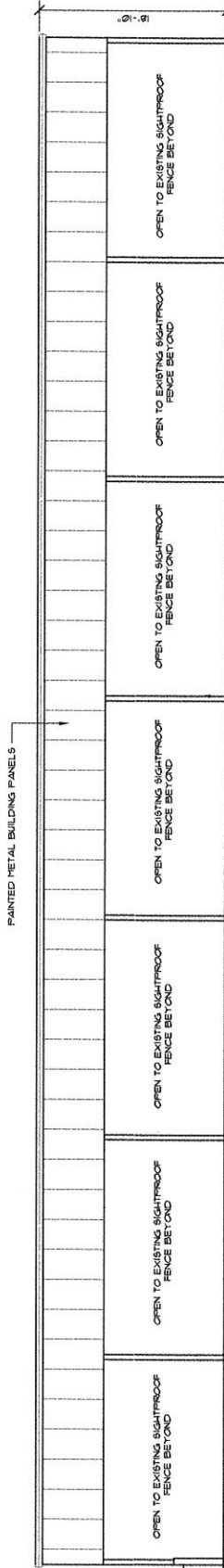


EAST ELEVATION  
SCALE 3/6"=1'-0"

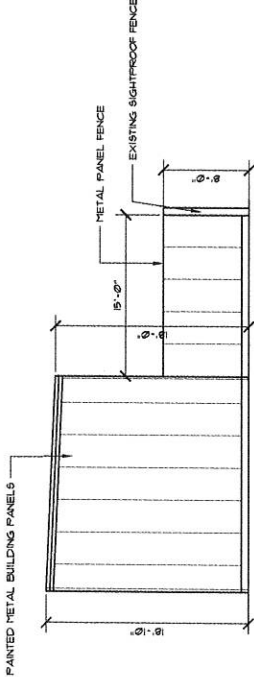
SCALE VERIFICATION

0	1/2"	1"	2"
			
FULL			
HALF			
OTHER			

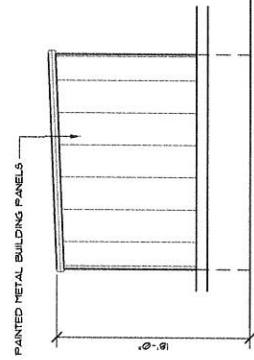




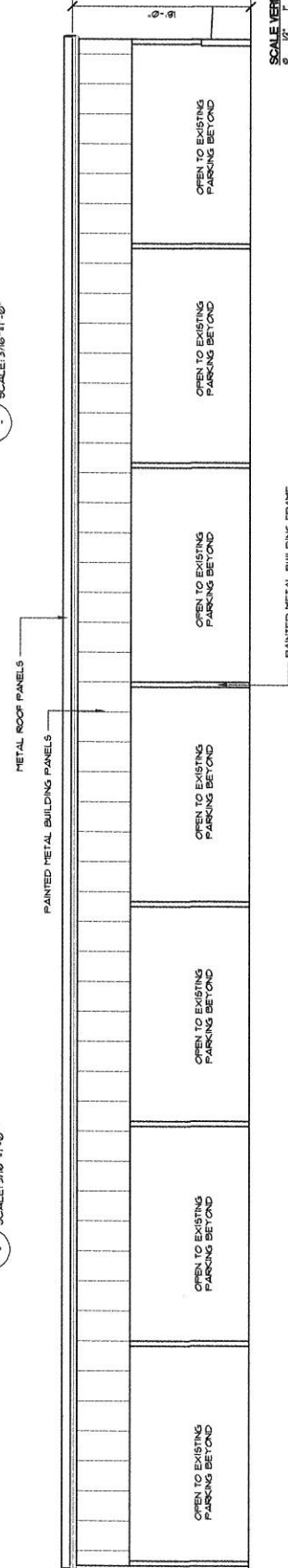
1 WEST ELEVATION  
 SCALE: 3/16" = 1'-0"



2 SOUTH ELEVATION  
 SCALE: 3/16" = 1'-0"



3 NORTH ELEVATION  
 SCALE: 3/16" = 1'-0"



4 EAST ELEVATION  
 SCALE: 3/16" = 1'-0"



Nelson-Howden & Associates  
architects / planners

200 east main st  
salt lake city, utah 84103  
tel: 801-462-9200  
fax: 801-462-9201

SPRINKLER SUPPLY  
ST. GEORGE STORE  
1120 E. 3000 S. ST. GEORGE, UTAH

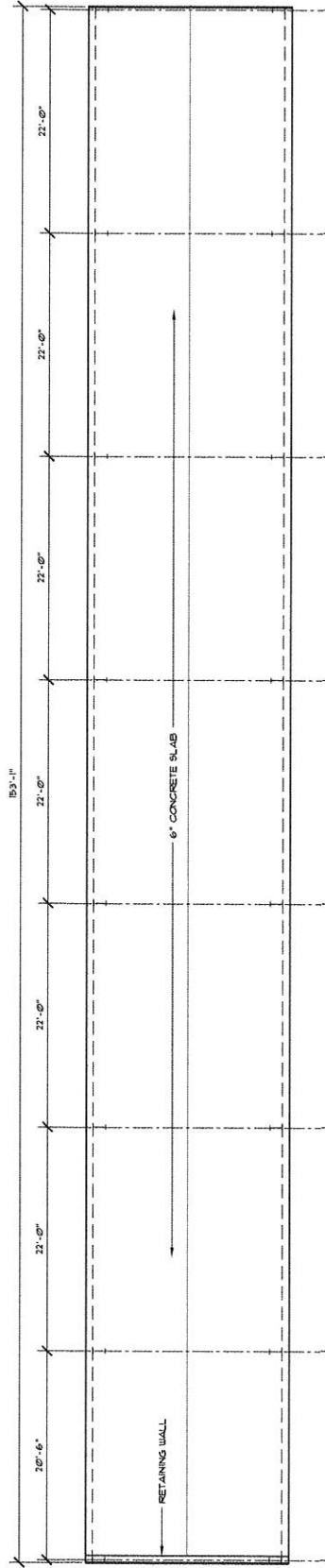
drawing title:  
FLOOR PLAN  
COVERED STORAGE

date: 04/06/15

sheet: a1.1

SCALE VERIFICATION

1" = 1'-0"  
1/2" = 6"  
3/8" = 4-1/2"  
1/4" = 3"  
3/16" = 2-1/4"  
1/8" = 1-1/2"  
OTHER



1 COVERED STORAGE FLOOR PLAN  
SCALE 3/16" = 1'-0"





Made by the City of St. George GIS Department  
SGCityMaps - <http://maps.sgcity.org/sgcitymaps>

April 20, 2015





## Zoning

Made by the City of St. George GIS Department  
SGCityMaps - <http://maps.sgcity.org/sgcitymaps>

April 20, 2015





© 2015 Google

Google





1100 300 5 SE

Exit S



© 2015 Google

© 2015 Google

Google

37°06'12.13" N 113°33'35.00" W elev 2713 ft eye alt 2

blem





© 2015 Google

© 2015 Google

37°06'12.20" N 113°33'36.70" W elev 2711 ft eye alt 5

Exit S



Veterans' Memorial Hwy











Mr. Ray Snyder  
City of St George  
175 East 200 North  
St George, UT 84770

Dear Mr. Snyder,

I received the notice from the City of St George dated April 16 regarding the zoning request for a sprinkler supply store on 300 South (case 2015-ZCA-009).

Please take my comments below to the Planning Commission.

- I am an owner of a condo in the La Paloma development, which is directly east of the proposed site. The approval of this proposal will affect me.
- I am an experienced retailer. There are no retail establishments anywhere near where this proposed store wants to go. Retail 101 tells you that traffic patterns, signage and ease of entry for patrons are required for success. This parcel gives none of the above.
- The argument will be that this is a targeted retail location, and that those customers who need their sprinkler parts will find this store. I disagree. It will be easier and faster to go to Home Depot. There are not enough customers who fit the target profile to make this a viable location.
- All of the parcels anywhere near this one are residential. Let's keep the retail stores out of what is already a 100% residential area.
- What happens if this proposed store were to be built as proposed, and then goes out of business as they ultimately will do due to the extremely poor retail location? Will we then have an empty building that then becomes an eyesore and a target for vandals, and that then drags down our property values? No decent retailer in their right mind would put a store there, which begs the question of what sort of operation comes into that vacant location next? We would do well to consider that.
- From my perspective, this is an extremely poor choice for a retail location, and will be detrimental to my property values. I strongly suggest that the Planning Commission deny this request.

Sincerely,

  
Jaron L. Johnson

## ITEM 2

### Zone Change

#### PLANNING COMMISSION AGENDA REPORT: 4/28/2015

##### ZONE CHANGE

##### **The Arbors**

Case No. 2015-ZC-011

<b>Request:</b>	This is a request to consider a zone change from A-1 (Agricultural) to R-1-8 (Single Family Residential 8,000 sq. ft. minimum lot size).
<b>Project Name:</b>	“The Arbors”
<b>Owner:</b>	Development Solutions Group
<b>Applicant:</b>	Development Solutions Group
<b>Representative(s):</b>	Mr. Steve Kamlowky, Development Solutions
<b>APN:</b>	SG-6707-B-B
<b>Location:</b>	The property is generally located in Little Valley east of 3000 East Street, and north of the logical extension of Crimson Ridge Drive. The property is located in the SE ¼ of Section 10, T43S, R15W, SLB&M. The property is located to the east of Oakwood Estates and Tupelo Estates (see vicinity map with staff report).
<b>Acreage:</b>	20.66 acres
<b>Existing Zoning:</b>	A-1
<b>Requested Zone:</b>	R-1-8
<b>General Plan:</b>	LDR (Low Density Residential) (4 du/ac)
<b>Adjacent zones:</b>	To the north, east, and south property is zoned A-1. To the west is R-1-10 & R-1-8.
<b>Options:</b>	The Planning Commission has several options: <ol style="list-style-type: none"><li>1. Deny the zone change</li><li>2. Approve the zone change as presented</li></ol>

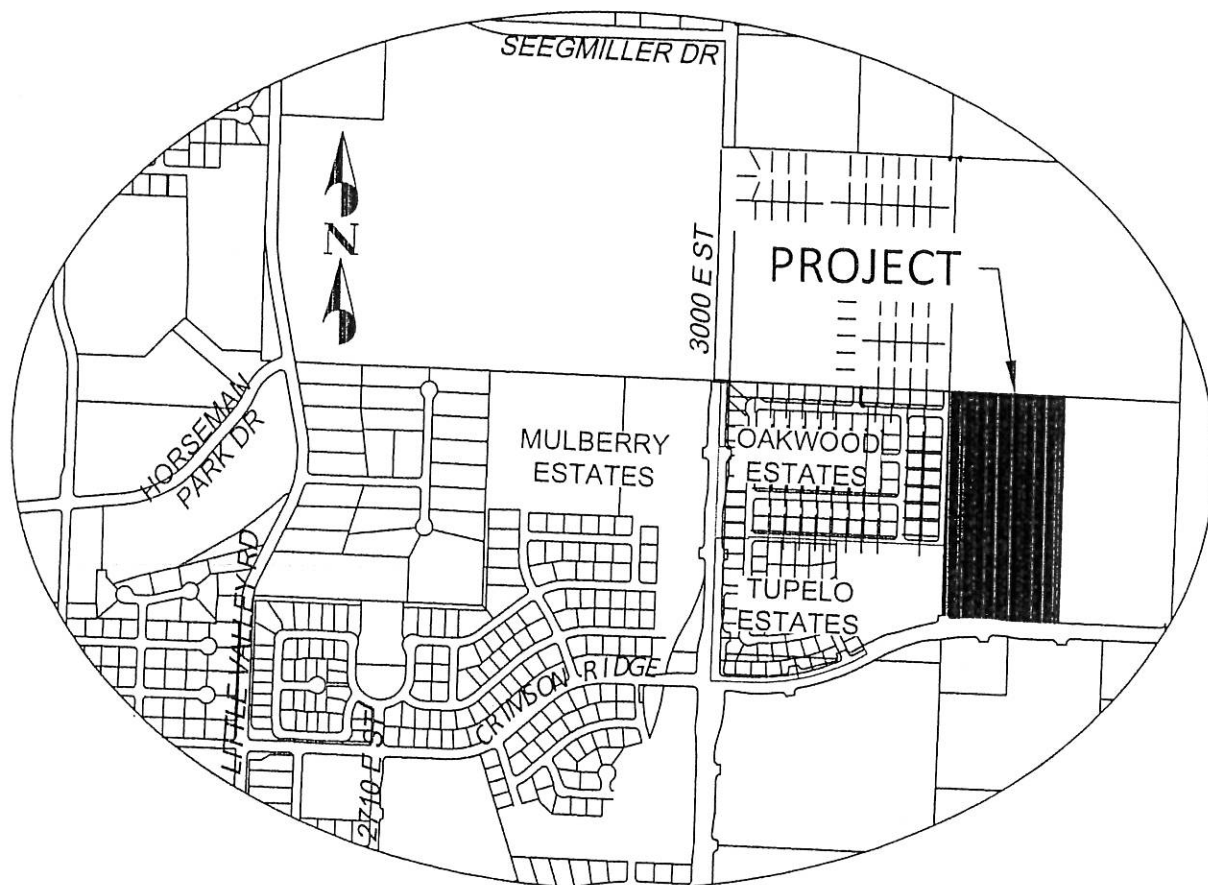
3. Table the zone change to allow for additional information to be provided as determined.

**EXAMPLE**

**Motion to Approve:**

Note that any motion to approve this zone change will need to include:

1. Acreage - The zoning on the entire zone change amendment area is recommended for approval of R-1-8 on 20.66 acres.

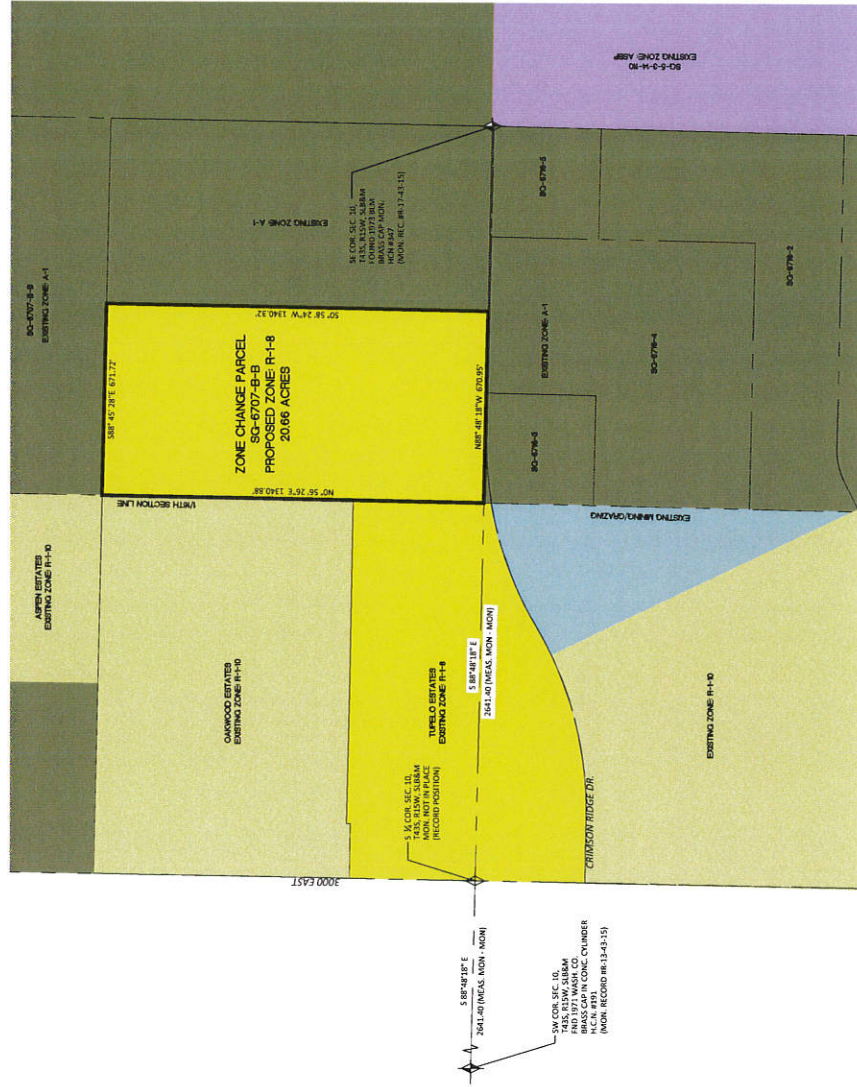


St. George  
Vicinity Map

NOT TO SCALE



### Zone Change for



## LEGAL DESCRIPTION

THE WESTLEY 237 ACRES OF SECTIONAL LOT 6 OF SECTION 10, TOWNSHIP 43 NORTH, RANGE 10 WEST AND MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SECTIONAL LOT 10, TOWNSHIP 43 NORTH, RANGE 10 WEST, SAUT L'EAU AND MERIDIAN, SAID POINT BEING NORTH 84°24'30" WEST, ALONG THE SECTION LINE, A DISTANCE OF 1320.008 FEET FROM THE SOUTHEAST CORNER OF SAID SECTION 10, (BASES OF THE SECTIONAL LOTS OF SAID SECTION 10, BEING THE SECTIONAL LOTS OF THE SOUTHWEST CORNER OF SAID SECTION 10, AND RUNNING THENCE NORTH 0°59'25" EAST ALONG THE WEST LINE OF SAID LOT 6 A DISTANCE OF 1340.877' FEET TO THE NORTHWEST CORNER OF SAID LOT 6, THENCE SOUTH 89°03'51" EAST 1340.877' FEET TO THE SOUTHWEST CORNER OF SAID SECTION 10, THENCE NORTH 0°59'25" EAST, 1320.139 FEET ALONG THE SOUTH LINE OF SAID SECTION 10, THENCE NORTH 84°24'30" WEST, 1319.119 FEET TO THE SECTION LINE, A DISTANCE OF 640.552 FEET, TO THE POINT OF BEGINNING.

CONTAINS 895,963 SQ. FT. (2.077 ACRES)

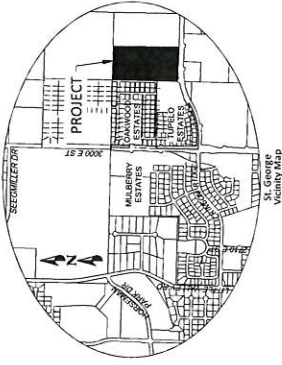


SITE DATA:

CURRENT ZONE: A-1  
PROPOSED ZONE: R-1-B  
AREA: 20.66

## LEGEND

ZONE CHANGE BOUNDARY	—————
EXISTING ADJOINING PROPERTY LINE	- - - - -
CENTERLINE	- . - . -
EXISTING PROPERTY LINES	=====



DATE	TIME	NOISE LEVEL	ON

THE ARBORS  
MASTER PLAN  
ST. GEORGE, UTAH  
ZONE CHANGE

PROJECT NAME : \_\_\_\_\_

DEVELOPMENT SOLUTIONS, INC.  
CIVIL ENGINEERS, LAND SURVEYORS, LAND PLANNERS  
120 East St. George Blvd Suite #301  
St. George, UT 84770  
Office (435) 628-2121 • Fax (435) 674-3533  
www.developmentsolutions.co

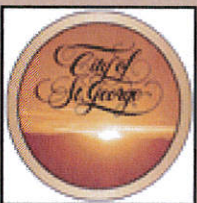
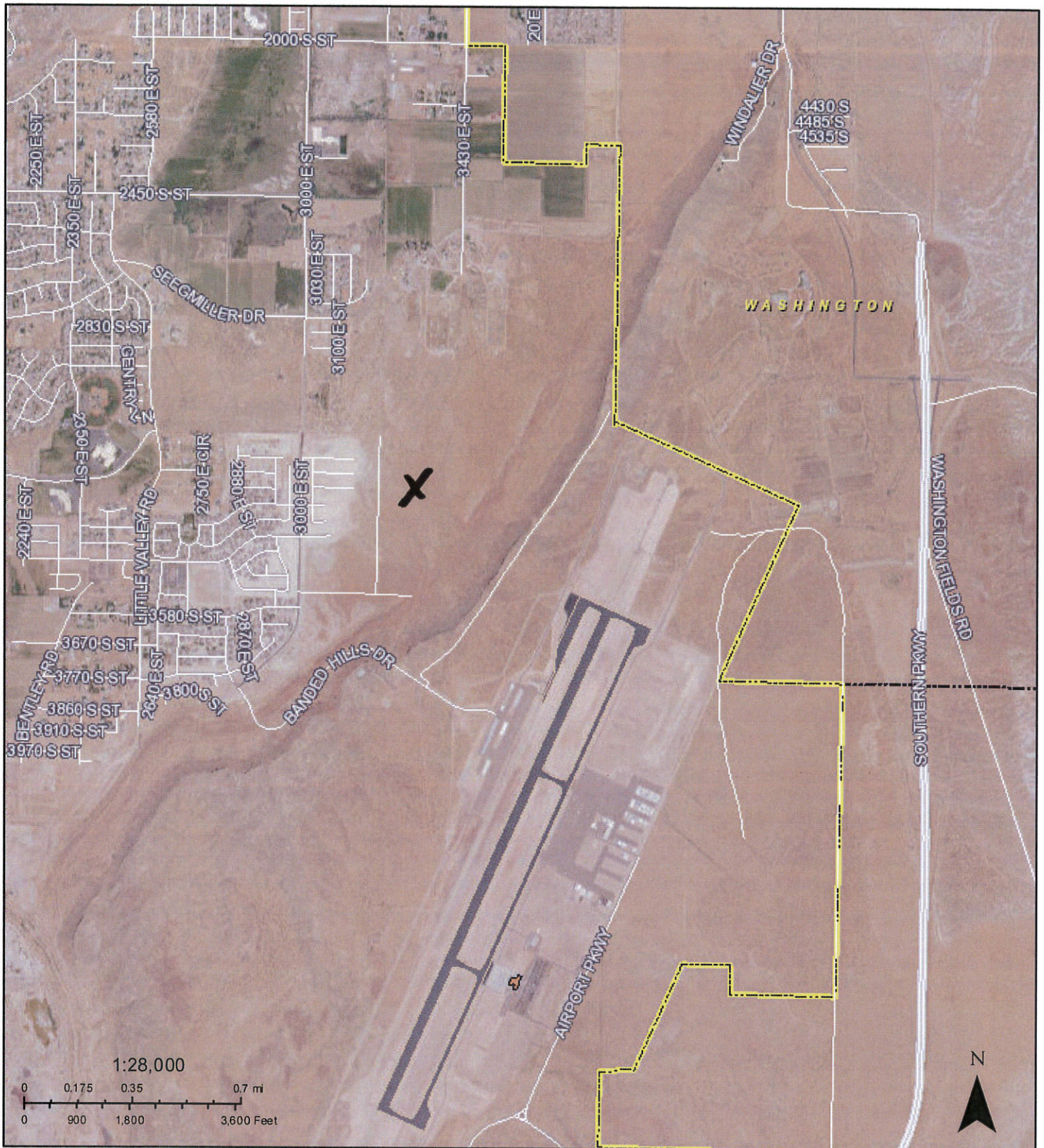
50

DATE:	4/16/15
PM:	SK
DRAWN BY:	SK
DESIGNED BY:	SK
CHECKED BY:	SK
PROJECT NO.:	15-006
SCALE:	1"=20'

ZC-1

1 OF 1 TOTAL



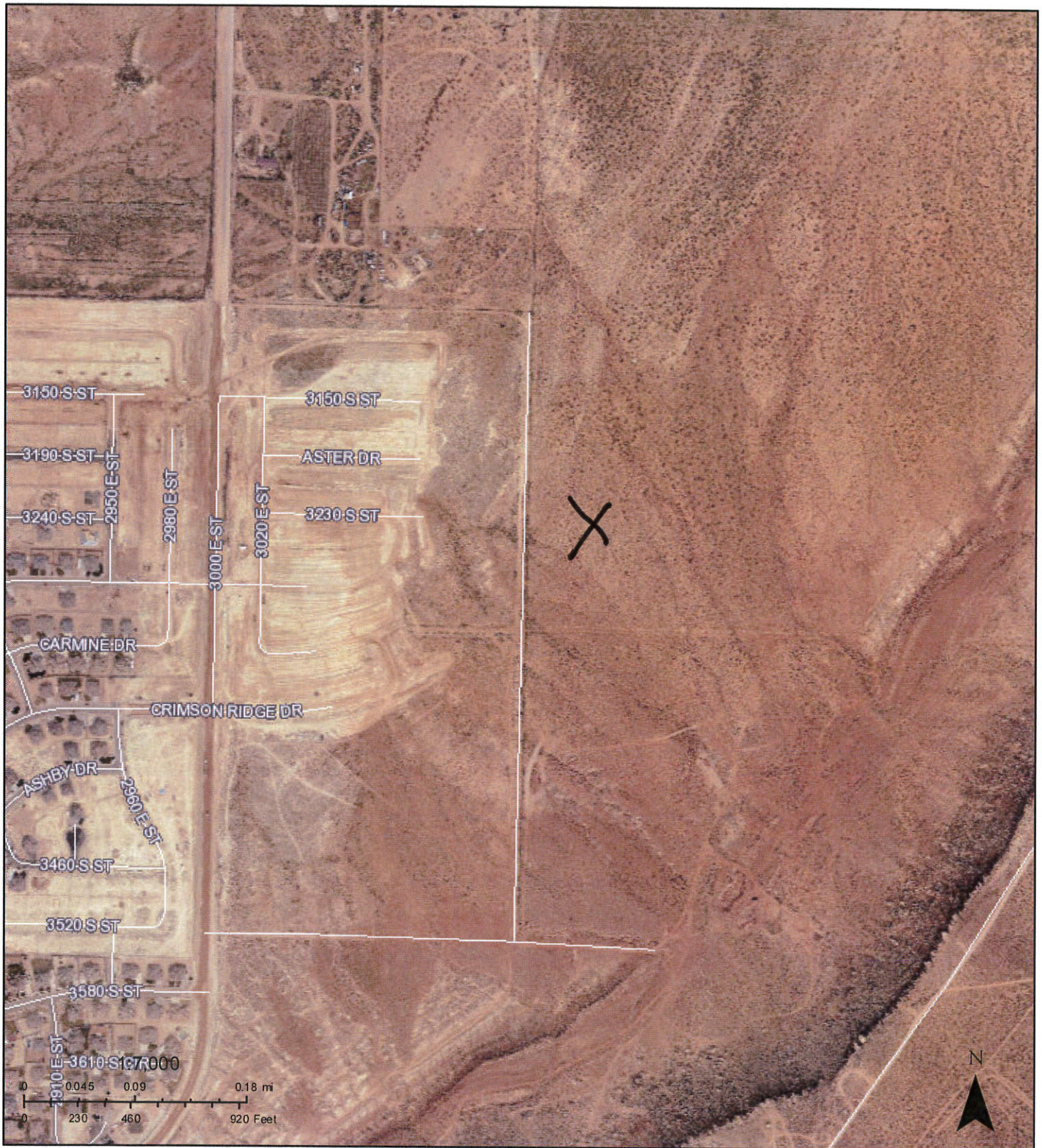


## Vicinity

Made by the City of St. George GIS Department  
SGCityMaps - <http://maps.sgcity.org/sgcitymaps>

April 21, 2015





## Aerial

Made by the City of St. George GIS Department  
SGCityMaps - <http://maps.sgcity.org/sgcitymaps>

April 21, 2015





## General Plan

Made by the City of St. George GIS Department  
SGCityMaps - <http://maps.sgcity.org/sgcitymaps>

April 21, 2015







# ITEM 3A

## Preliminary Plat

PLANNING COMMISSION AGENDA REPORT: 04/28/2015

### PRELIMINARY PLAT

Meadows Edge Phase 1

Case No. 2015-PP-013

**Request:** A request to approve a preliminary plat for a three (3) lot residential subdivision

**Location:** 3910 South Bentley Rd

**Property:** 3.7 acres

**Number of Lots:** 3

**Density:** 0.8 dua

**Zoning:** RE-20

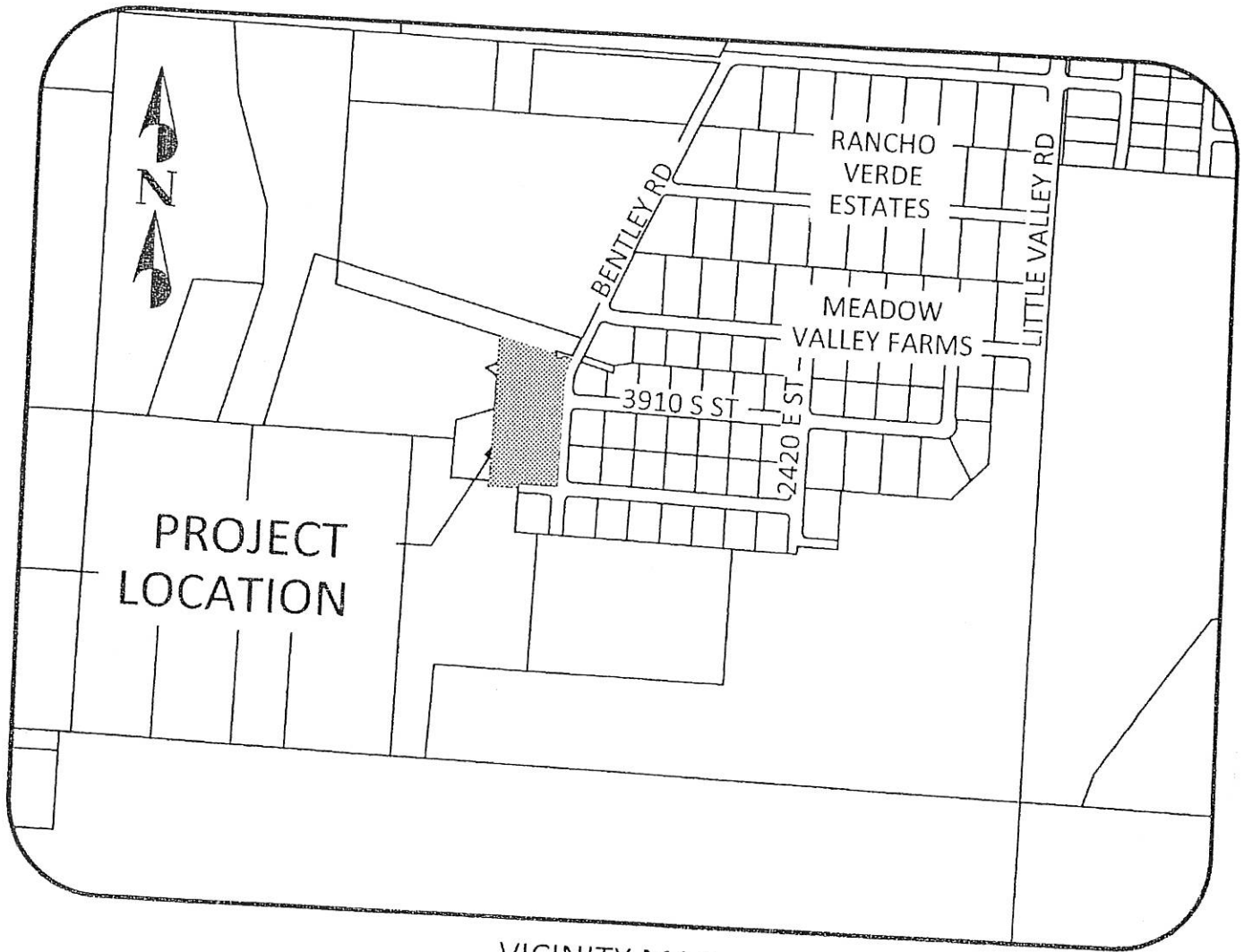
**Adjacent zones:** This plat is surrounded by the following zones:  
North – A-1  
South – RE-20  
East – RE-20  
West –RE-20/OS

**General Plan:** LDR

**Applicant:** Development Solutions

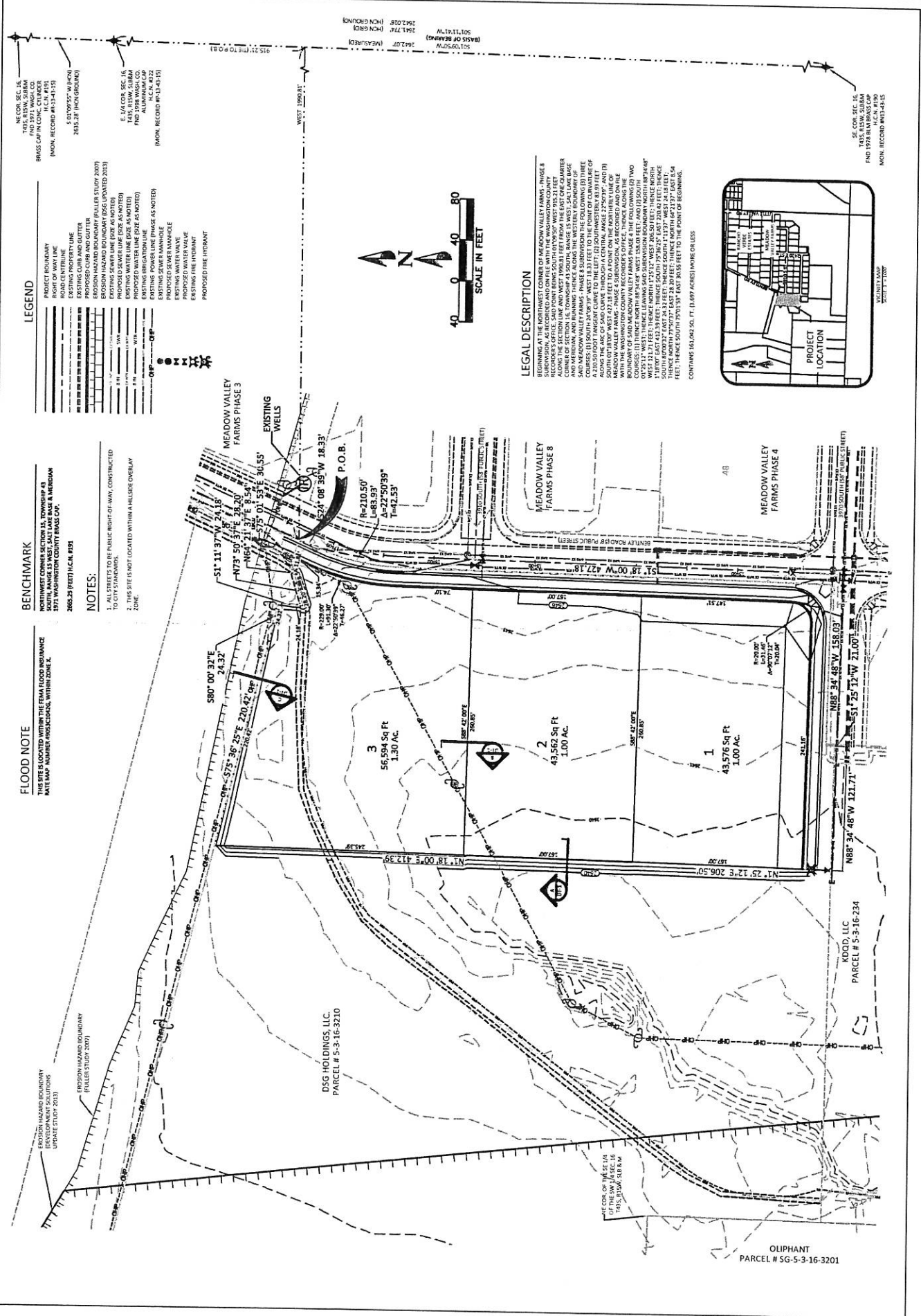
**Representative:** Logan Blake

**Comments:**



VICINITY MAP





### LEGEND

- PROJECT BOUNDARY
- EXISTING PROPERTY LINE
- ROAD CENTERLINE
- EXISTING CURB AND GUTTER
- EXISTING SEWER LINE (SIZE AS NOTED)
- EXISTING WATER LINE (SIZE AS NOTED)
- EXISTING POWER LINE (SIZE AS NOTED)
- EXISTING SEWER MANHOLE
- EXISTING WATER MANHOLE
- EXISTING FIRE HYDRANT
- PROPOSED FIRE HYDRANT

### BENCHMARK

NORTHWEST CORNER SECTION 15, TOWNSHIP 43 SOUTH, RANGE 15 WEST, SALT LAKE BASE A MERIDIAN 1971 WASHINGTON COUNTY BRASS CAP. 2663.25 FEET M.C.N. 8591.

### FLOOD NOTE

THIS SITE IS LOCATED WITHIN THE FEMA FLOOD INSURANCE RATE MAP NUMBER 17010A0001, WITHIN ZONE 1. THE SITE IS NOT LOCATED WITHIN A HILLSIDE OVERLAY ZONE.

### NOTES

1. ALL STREETS TO BE PUBLIC RIGHT-OF-WAY, CONSTRUCTED TO CITY STANDARDS.
2. THIS SITE IS NOT LOCATED WITHIN A HILLSIDE OVERLAY ZONE.

### LEGAL DESCRIPTION

BEGINNING AT THE NORTHWEST CORNER OF MEADOW VALLEY FARMS, PHASE 8 SUBDIVISION, AS RECORDED AND ON FILE WITH THE WASHINGTON COUNTY CLERK'S OFFICE, AND THENCE S89°15'11"W 150.00 FEET TO THE CORNER OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 15 WEST, SALT LAKE BASE ALONG THE SECTION LINE AND WEST 1900.31 FEET FROM WEST 955.21 FEET SAID MEADOW VALLEY FARMS, PHASE 8 SUBDIVISION, THE FOLLOWING (1) THREE COURSES (1) SOUTH 20°09'39" WEST 18.33 FEET TO THE POINT OF CURVATURE OF A CURVE, (2) ALONG THE CURVE THROUGH A CENTRAL ANGLE 72°50'39" AND (3) ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE 72°50'39" AND (4) WITH THE WASHINGTON COUNTY RECORDS OFFICE, THENCE ALONG THE MEADOW VALLEY FARMS, PHASE 8 SUBDIVISION ON THE NORTHERLY LINE OF SAID SUBDIVISION, THENCE NORTH 89°15'11" WEST 150.00 FEET, AND (5) TWO COURSES (1) THENCE NORTH 89°15'11" WEST 150.00 FEET, AND (2) SOUTH 1°18'00" EAST 432.39 FEET, THENCE SOUTH 75°02'45" EAST 232.42 FEET, THENCE NORTH 77°00'37" EAST 28.20 FEET, THENCE NORTH WEST 77°00'37" EAST 28.20 FEET, THENCE SOUTH 77°00'37" EAST 28.20 FEET TO THE POINT OF BEGINNING. CONTAINS 16.062 SQ. FT. (1.897 ACRES) MORE OR LESS.







# ITEM 3B

## Preliminary Plat

PLANNING COMMISSION AGENDA REPORT: 04/28/2015

### PRELIMINARY PLAT

SunRiver Phases 49-57

Case No. 2015-PP-012

**Reference:** 2015-ZCA-005

**Request:** A request to approve a preliminary plat for a one hundred sixty-six (166) lot residential subdivision

**Location:** Approximately 4300 S Pioneer Drive

**Property:** 48.40 acres

**Number of Lots:** 166

**Density:** 3.43 du/ac

**Zoning:** PD-R

**Adjacent zones:** This plat is surrounded by the following zones:  
North – R-1-10 (River Stone subdivision)  
South – PD-C (Fire Station, Hobby Garages)  
East – PD-C (Vacant – future commercial)  
West – PD-R (Sun River subdivision)

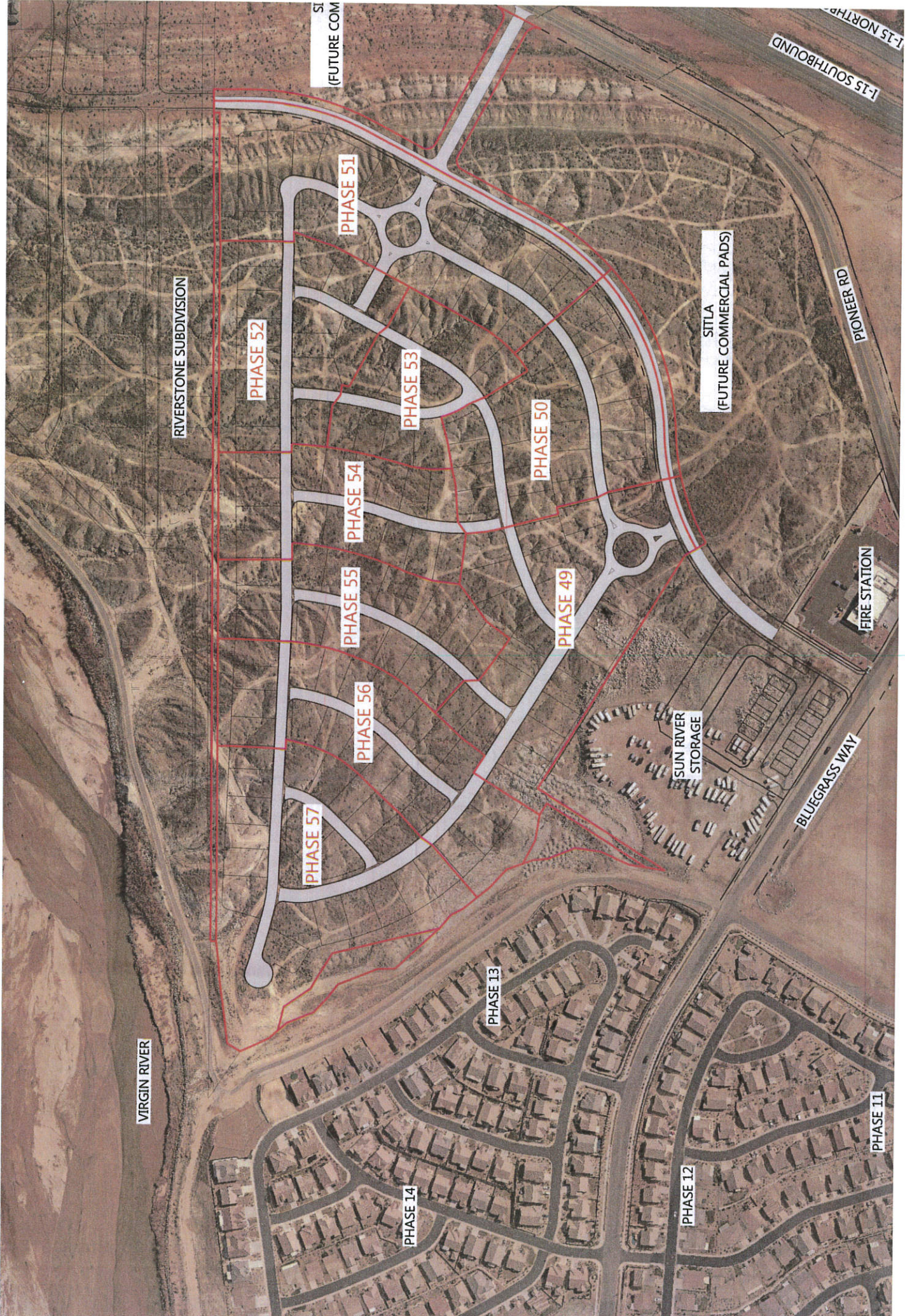
**Applicant:** Rosenberg Associates

**Representative:** Matt Kelvington

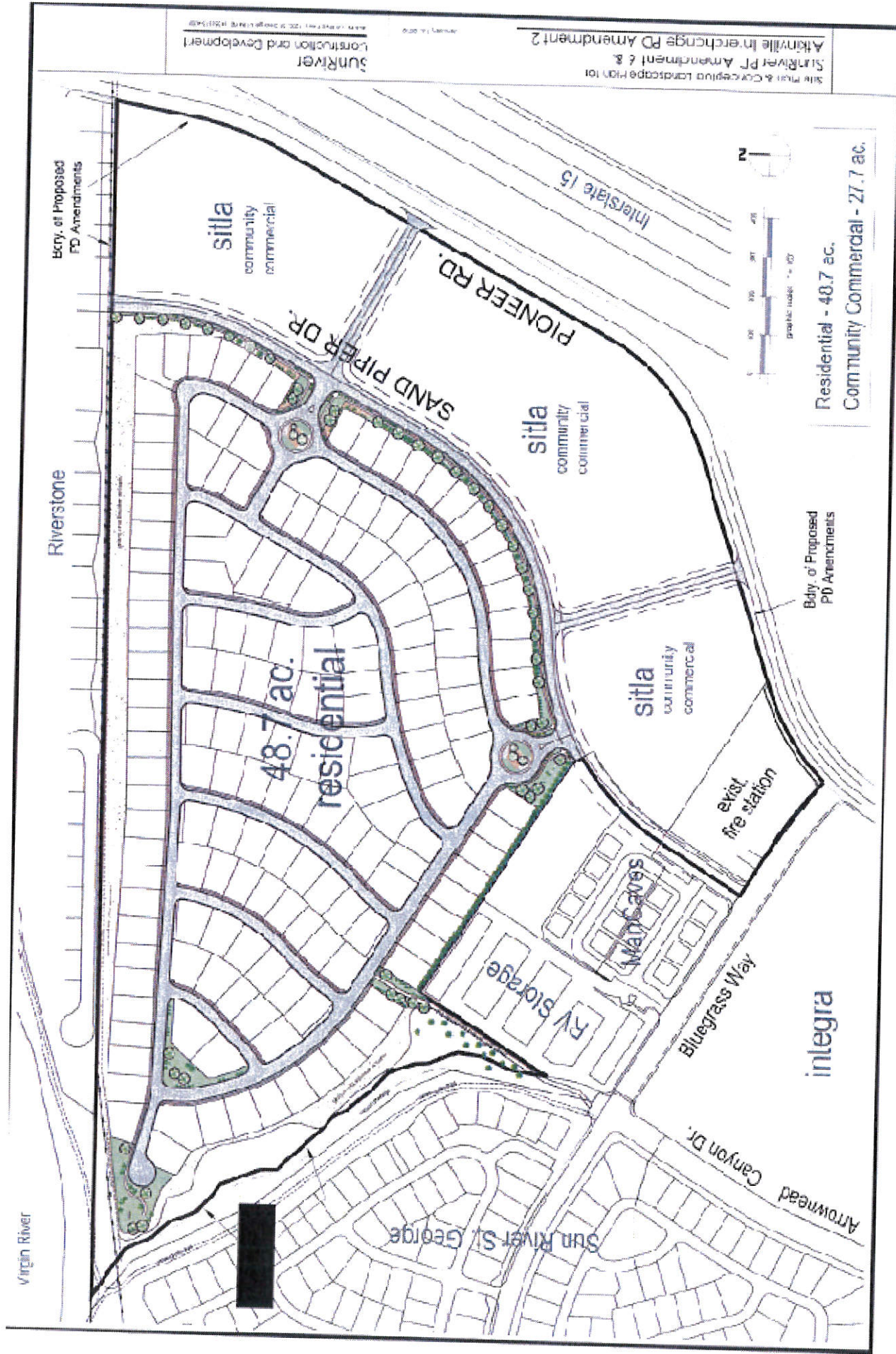
**Phases:** Phase 49 – 21 units on 6.74 acres  
Phase 50 – 22 units on 5.28 acres  
Phase 51 – 22 units on 7.68 acres  
Phase 52 – 16 units on 4.50 acres  
Phase 53 – 11 units on 2.94 acres  
Phase 54 – 16 units on 3.81 acres  
Phase 55 – 17 units on 4.04 acres  
Phase 56 – 21 units on 5.74 acres  
Phase 57 – 20 units on 7.67 acres

**Comments:**



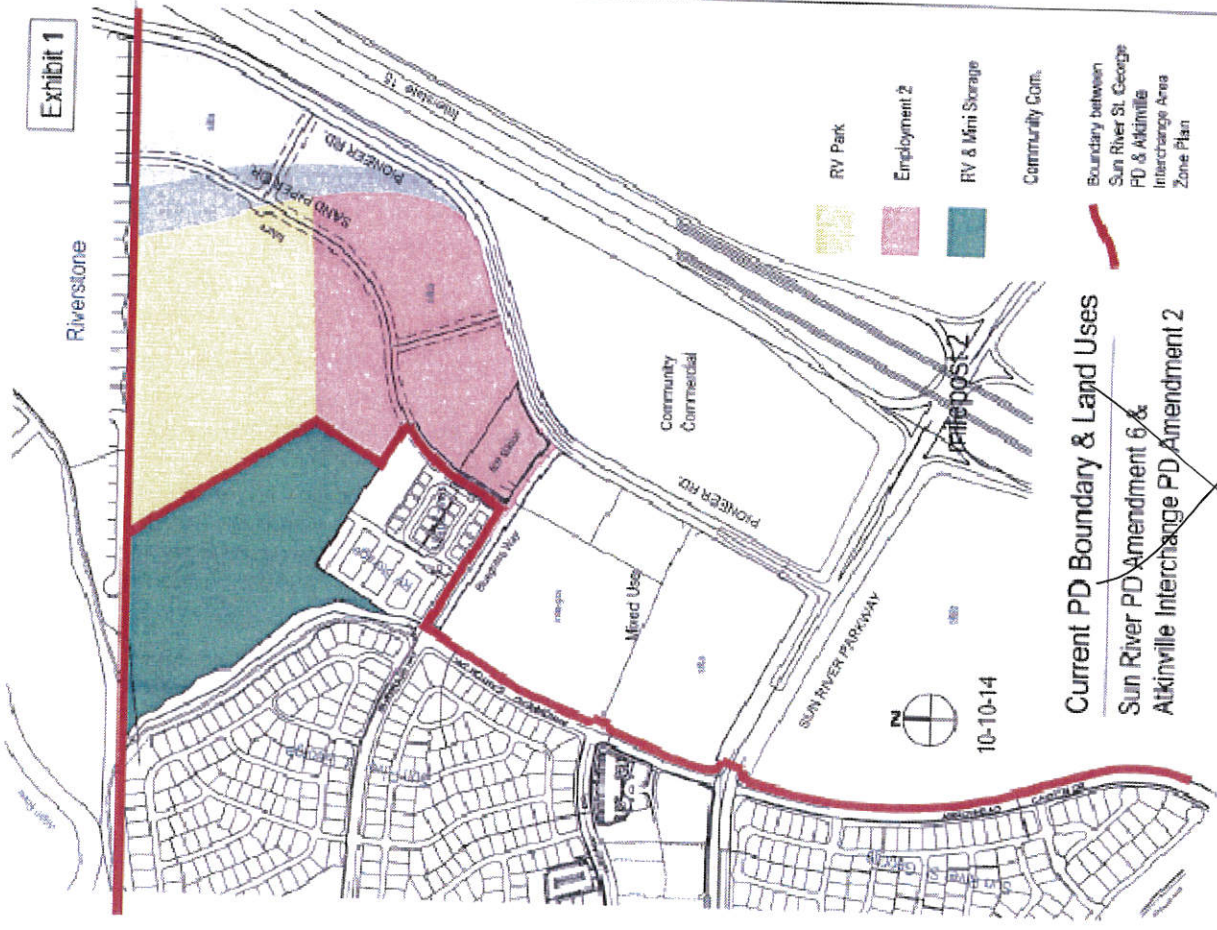






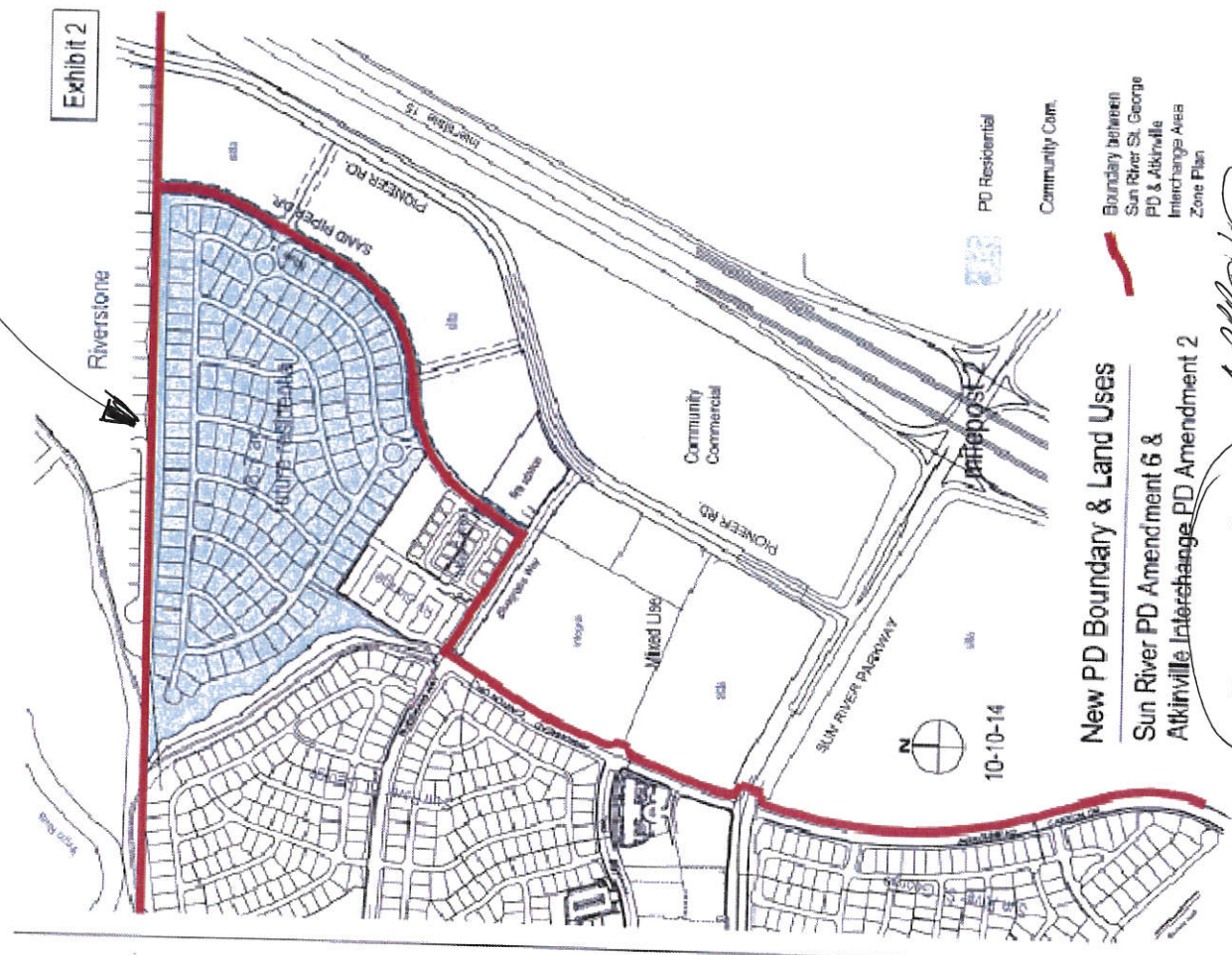
Reference 2015-2CA-005





**Current PD Boundary & Land Uses**  
 Sun River PD Amendment 6 &  
 Atkinville Interchange PD Amendment 2

~~Existing~~



**New PD Boundary & Land Uses**  
 Sun River PD Amendment 6 &  
 Atkinville Interchange PD Amendment 2

**Proposed**

*APPROVED*

*Reference 2015-ZCA-005*



# ITEM 3C

## Preliminary Plat

PLANNING COMMISSION AGENDA REPORT: 04/28/2015

### PRELIMINARY PLAT

The Villas at Cottam Ridge

**Case No. 2015-PP-014**

**Reference:** Case No. 2014-ZC-012

**Request:** A request to approve a preliminary plat for a sixty (60) lot residential subdivision

**Location:** River Road & 1850 South

**Property:** 8.55 acres

**Number of Lots:** 60

**Density:** 7 du/ac

**Zoning:** PD-R

**Adjacent zones:** This plat is surrounded by the following zones:  
North – R-1-10  
South – R-3/C-3  
East – R-1-10  
West – R-1-10

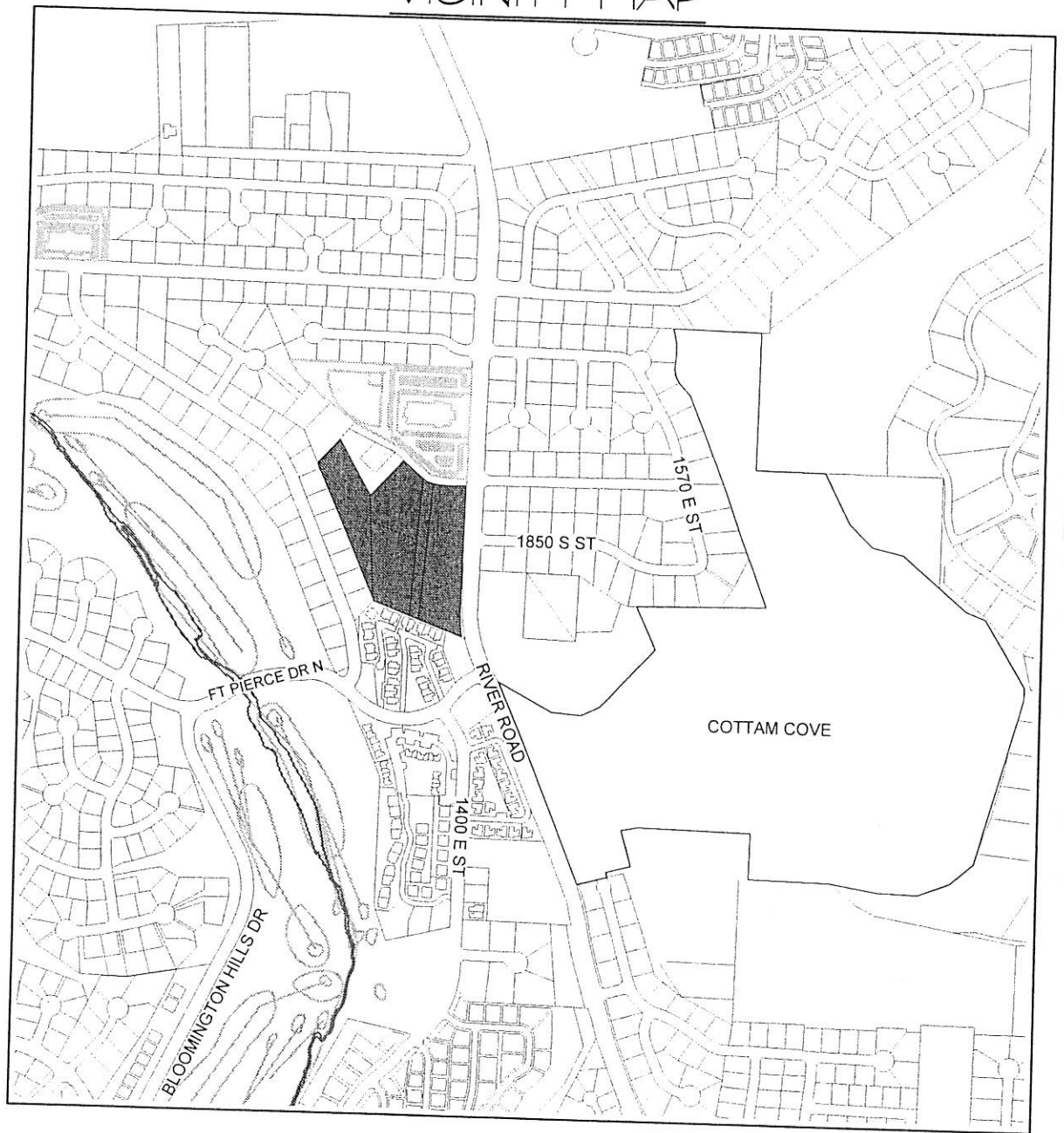
**General Plan:** MDR

**Applicant:** Wright Homes

**Representative:** Derek Wright

**Comments:**

# VICINITY MAP





[illegible]

PRELIMINARY PLAT  
VILLAS AT COTTAM RIDGE

**PROJECT INFORMATION**  
 TOTAL SQUARE FEET 10,000  
 TOTAL TOWNHOME UNITS 40  
 DENSITY: 7 DU/AC

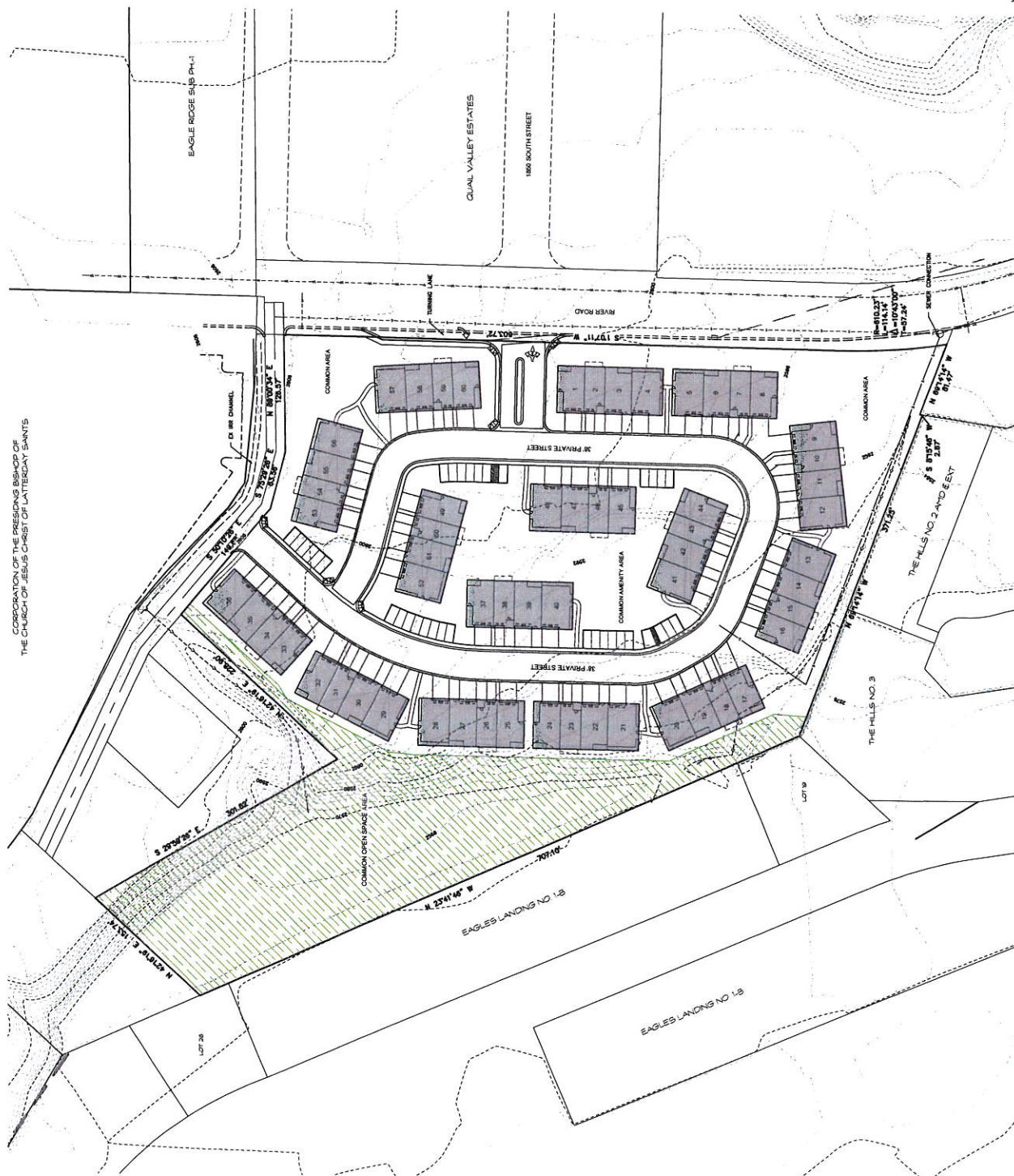
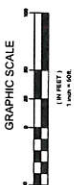
**OPEN SPACE**  
 PO REQUIRED: 2.37 ACRES (24%)  
 PROVIDED: 3.10 (32%)

**PARKING**  
 PO REQUIRED: 120 STALLS (HALF COVERED)  
 PROVIDED: 120 STALLS  
 30' PRIVATE STREETS

**NOTE:** THIS PROJECT WILL BE CONSTRUCTED IN MULTIPLE PHASES.

TYPICAL BUILDING

Room	Width	Depth
A	28.00'	22.00'
B	22.00'	22.00'
C	28.00'	22.00'
D	33.75'	50.50'





GRADING PLAN  
VILLAS AT COTTAM RIDGE  
LOCATED IN ST. GEORGE, UT

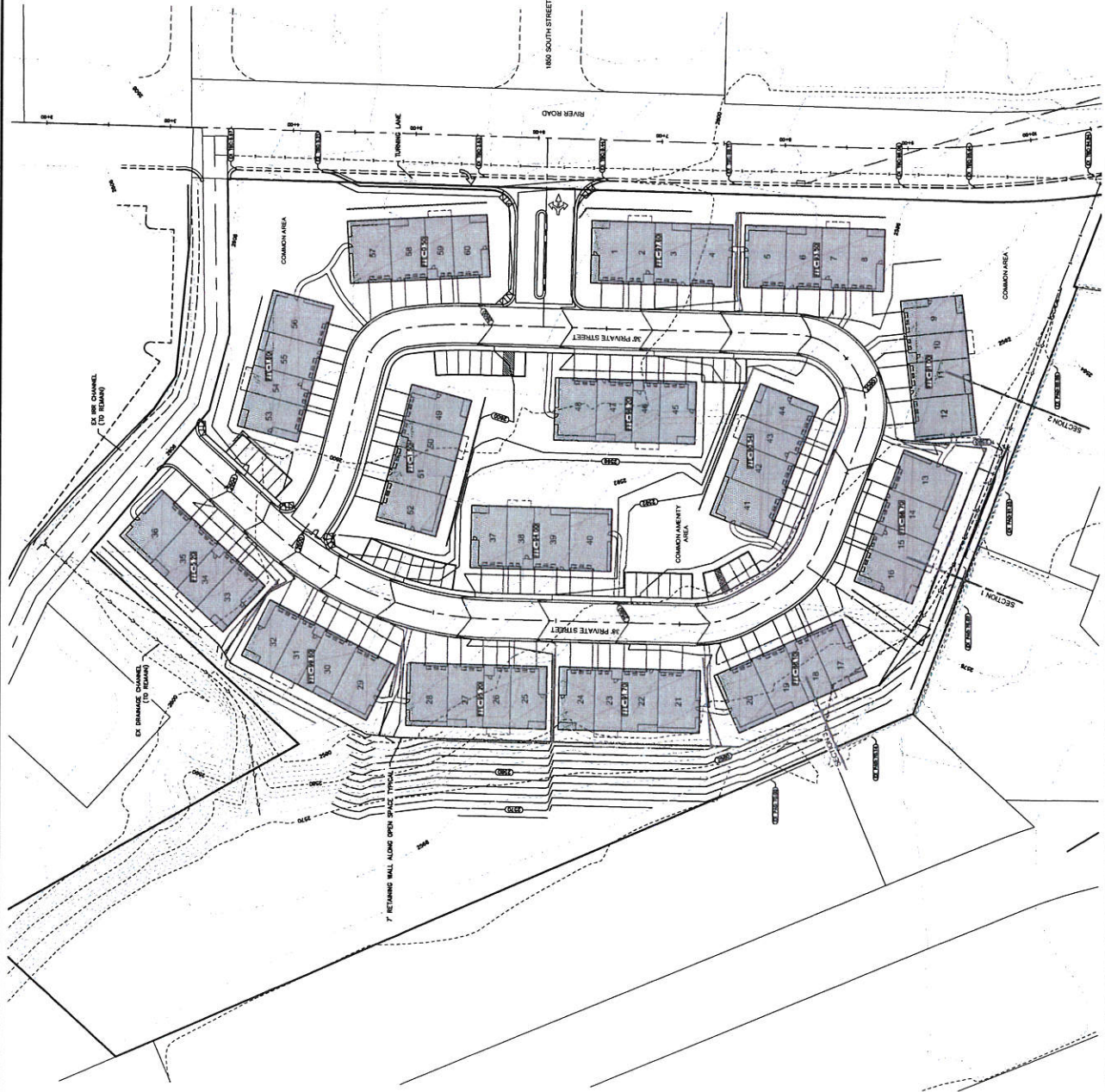
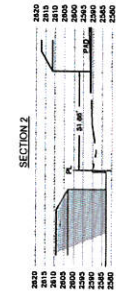
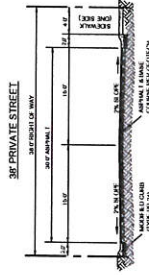
DATE: 8/2013  
DRAWN: BLM  
APPROVED:  
JOB NO. 110528



**BUSH & GUGGELL, INC.**  
Engineers - Planners - Surveyors  
205 East Tabernacle Suite #4  
St George, Utah 84770  
Phone (435) 672-2037 Fax (435) 672-3161  
www.bushandguggell.com

NO	DATE	BY	REVISION

PRELIMINARY PLAT  
GRADING PLAN









Reference / 2014-ZC-012

PD ZONE CHANGE

PD ZONE CHANGE  
RIVER ROAD MULTIFAMILY  
LOCATED IN ST. GEORGE, UT

DATE	1/1/2014
DRAWN	JLH
BY	JLH
SCALE	1" = 50'
JOB NO.	140100

**BUSH & GUDGELL, INC.**  
Engineers - Planners - Surveyors  
205 East Tabernacle Suite 44  
St. George, Utah 84770  
Phone (435) 673-2207 / Fax (435) 673-3161  
www.bushgudgell.com

NO.	DATE	BY	REVISION
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			

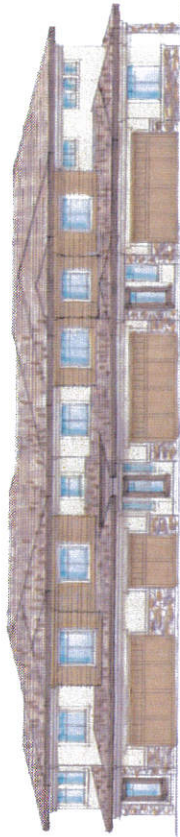
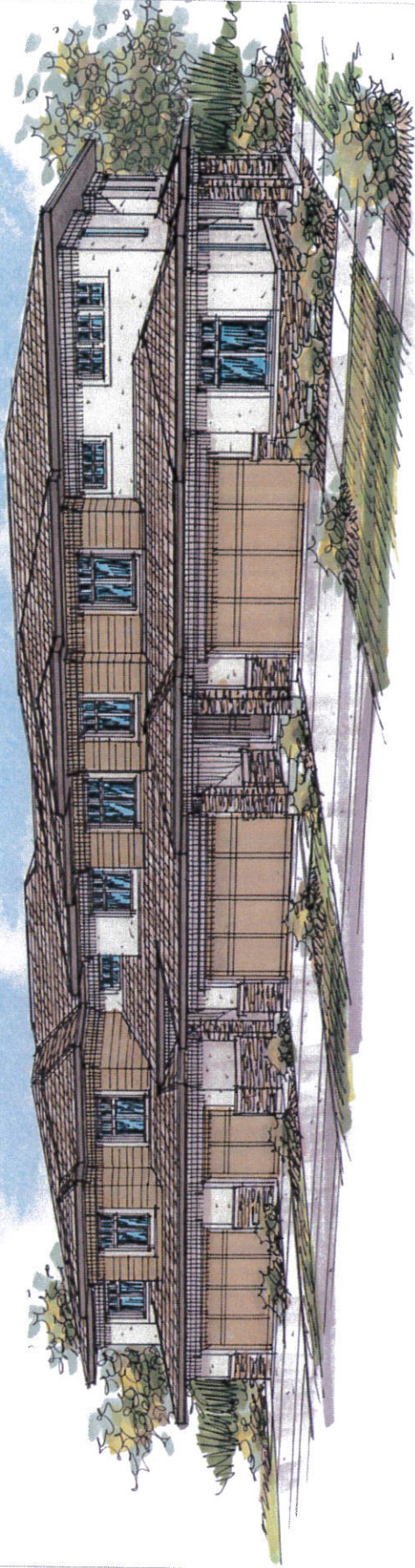


**PROJECT INFORMATION**  
PROJECT NAME: RIVER ROAD MULTIFAMILY  
PROJECT LOCATION: ST. GEORGE, UT  
PROJECT OWNER: [REDACTED]  
PROJECT DATE: 1/1/2014  
PROJECT STATUS: [REDACTED]  
PROJECT DESCRIPTION: [REDACTED]  
PROJECT NOTES: [REDACTED]

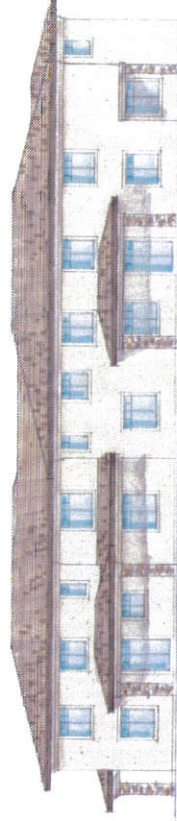




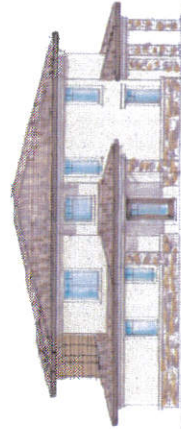
VILLAS AT COTTAM RIDGE



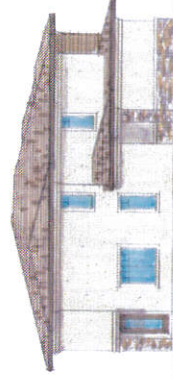
Section 1: Villa 1 (1st Floor)



Section 2: Villa 2 (1st Floor)



Section 3: Villa 3 (1st Floor)



Section 4: Villa 4 (1st Floor)

Reference / 2014-ZC-012

**PLANNING COMMISSION  
CITY OF ST. GEORGE  
WASHINGTON COUNTY, UTAH  
February 24, 2015 – 5:00 PM**

**PRESENT:** Chair Ross Taylor  
Commissioner Ro Wilkinson  
Commissioner Nathan Fisher  
Commissioner Don Buehner  
Commissioner Todd Staheli  
Commissioner Diane Adams  
Commissioner Julie Hullinger  
Council Member Joe Bowcutt

**CITY STAFF:** Assistant Public Works Director Wes Jenkins  
Planning & Zoning Manager John Willis  
Planner II Ray Snyder  
City Surveyor Todd Jacobsen  
Assistant City Attorney Victoria Hales  
Planning Associate Genna Singh

**EXCUSED:**

**FLAG SALUTE**

Chair Ross Taylor called the meeting to order and asked Commissioner Don Buehner to lead the flag salute at 5:02 pm.

1. **FINAL PLATS (FP)**

- A. Consider approval of a sixteen (16) lot residential subdivision for “**Mulberry Estates Phase 9**” The representative is Mr. Brad Peterson, Development Solutions. Lots 117 thru 130 are zoned R-1-12 (Single Family Residential Estate 12,000 sq. ft. minimum lot size) and Lots 131 and 132 are zoned RE-20 (Residential Estate 20,000 sq. ft. minimum lot size). Located at approximately 2880 East and 3110 South (in the little Valley area). Case No. 2014-FP-076. (Staff – Todd Jacobsen).

John Willis presented the item with no comments.

Assistant City Attorney Victoria Hales asked if note 10 regarding lot 132 was added.

John Willis stated he would verify.

Assistant City Attorney Victoria Hales said she would check after the meeting.

- B. Consider approval of a twenty-six (26) unit residential subdivision for “**SunRiver St George Phase 46**” The representative is Mr. Brandon Anderson, Rosenberg Associates. The property is zoned PD-R (Planned Development Residential) and is located along Whitestone Drive between Pearl Vista Drive and Blue Star Drive. Case No. 2014-FP-059. (Staff – Todd Jacobsen).

John Willis presented the item with no comments.



- C. Consider approval of a roadway dedication final plat for “**2350 East Street and Horseman’s Park Drive Roadway Dedication Plat.**” The representative is Mr. Scott Woolsey, Alpha Engineering. Located at approximately 2350 East and 3220 South (Little Valley area near ‘The Fields at Little Valley Park,’ Sunrise Ridge Intermediate School, and Little Valley Elementary School. Case No. 2015-FP-006. (Staff – Todd Jacobsen).

John Willis presented the item. The road dedication was never carried through so this plat will complete that dedication.

Commissioner Diane Adams asked if legal has any comments.

Assistant City Attorney Victoria Hales replied that she would review the plat prior to signing. Item 1A should be subject to the note being added.

Commissioner Don Buehner asked if Item 1C also has a condition of approval.

John Willis replied no. Item 1C is a presented to rectify something that hadn’t been done previously. No condition is needed.

**MOTION: Commissioner Don Buehner made a motion to approve final plats 1A, 1B and 1C with the condition that Item 1A is subject to legal approval for the note regarding lot 132 drainage and this is based on the presentation by staff and that the plats meet the requirements and authorize chairman to sign.**

**SECONDED: Commissioner Nathan Fisher seconded the motion.**

**AYES (7)**

**Commissioner Ro Wilkinson**

**Commissioner Don Buehner**

**Chair Ross Taylor**

**Commissioner Nathan Fisher**

**Commissioner Diane Adams**

**Commissioner Julie Hullinger**

**Commissioner Todd Staheli**

**NAYS (0)**

**Motion carries.**

## **2. PRELIMINARY PLAT**

- A. Consider approval of a preliminary plat for a three (3) lot commercial subdivision for “**Riverside Business Park.**” The applicant and representative is Mr. Wes Davis. The property is C3 (General Commercial) and is located at 359 and 377 East Riverside Drive. Case No. 2015-PP-003. (Staff – Wes Jenkins).

Wes Jenkins presented the item.

The applicant is proposing to subdivide the property into three parcels so that each parcel owns the land the building occupies. Each proposed lot will have the required number of parking stalls for the existing building on that lot. Access, utility and drainage easements will be required for proposed lot 3 through proposed lots 1 and 2.

Chair Ross Taylor asked if there will be an association.

Wes Jenkins said no. Each parcel will own the ground beneath it. There will need to be utility and access easements. Lots 1 and 2 have frontage.

Councilman Joe Bowcutt asked if the parking is already improved.

Wes Jenkins said yes, the parking exists.

Assistant City Attorney Victoria Hales asked if there will be a cross parking agreement or will each building stand alone.

Wes Jenkins replied they will not need a cross parking agreement. They'll all stand alone.

Chair Ross Taylor questioned if each building meets the requirements.

Wes Jenkins said yes, they do.

Assistant City Attorney Victoria Hales asked if each meets setback, parking and landscape requirements.

Wes Jenkins stated there is landscape on the frontage for lots 1 and 2.

Wes Davis added that there is landscape on lot 3 in the parking islands.

Assistant City Attorney Victoria Hales asked again if the lots meet all the requirements, for instance, lots 1 and 2 have Riverside Drive frontage and require landscaping.

Wes Jenkins said they do but staff will verify again to be sure.

Commissioner Ro Wilkinson asked what the line through lot 3 represents.

Wes Jenkins explained that drainage collected on lot 3 will be piped so there will need to be an easement for that. The easement is for sewer, cross-access, and drainage.

Commissioner Nathan Fisher asked if the line on the island to Riverside is also drainage.

Wes Jenkins said that is for water so there will need to be an easement there as well.

Assistant City Attorney Victoria Hales asked if the parking lots would require landscape islands.

Wes Jenkins replied that 35 stalls require 5% landscaping so that will come to staff for approval.

Commissioner Diane Adams asked how much landscaping is required per lot.

Wes Jenkins said if they have 35 parking stalls then 5% of the parking area has to be landscaped.

Commissioner Diane Adams noted that lot 3 would be the only one even close to that.

Wes Jenkins said they will have to bring this up to standards for landscaping.

Commissioner Nathan Fisher stated this is the preliminary plat and they'll all have to stand alone for the final.

Assistant City Attorney Victoria Hales explained that the setbacks, parking and landscaping all need to be met.

Commissioner Don Buehner clarified that this is simply to allow the one lot into three.

Commissioner Nathan Fisher said yes, and then before the final they need to meet the requirements.

**MOTION: Commissioner Ro Wilkinson made a motion to accept the Preliminary Plat based on staff and legal comments.**

**SECONDED: Commissioner Diane Adams seconded the motion.**



**AYES (7)**  
**Ro Wilkinson**  
**Don Buehner**  
**Ross Taylor**  
**Nathan Fisher**  
**Diane Adams**  
**Julie Hullinger**  
**Todd Staheli**  
**NAYS (0)**  
**Motion carries.**

- B. Consider approval of a preliminary plat for a five (5) lot residential subdivision for **"Tupelo Estates Phase 3."** The applicant is Development Solutions Group, Inc. and the representative is Mr. Steve Kamlowksy. Located at 3230 S Amaranth Drive. Case No. 2015-PP-004. (Staff – Wes Jenkins).

Wes Jenkins presented the item.

The density of this plat is greater than an R-1-8 allowance but if you combine phase 3 with phases 1 and 2 it does meet the density standard for an R-1-8 subdivision. We'll make sure the overall density is equal to or less than the allowance.

Commissioner Nathan Fisher asked if density is calculated per phase or per subdivision. Assistant City Attorney Victoria Hales stated that legal needs to look into this to see if the development agreement covers density. Staff does not know what subsequent plats are coming in but the code says each plat is considered a subdivision.

Chair Ross Taylor noted that historically we have looked at the entire project rather than specific phases.

Assistant City Attorney Victoria Hales agreed that that has happened in the past but this is subject to a development agreement.

Wes Jenkins stated that if each phase needs to meet the density then they can adjust their boundary line and come into compliance.

Assistant City Attorney Victoria Hales said we'll have to look at the past and current subdivisions per phase.

Chair Ross Taylor stated that the model used in the past is that you must meet the standard for the overall development.

Wes Jenkins added that the north western lot will most likely go away and become a pool and clubhouse that will become common area. They were supposed to change that if that is their true intention but they did not get that to me prior to this meeting.

Commissioner Nathan Fisher asked if that modification would help the density.

Wes Jenkins answered that with the change the density would fall in line with the standard.

Assistant City Attorney Victoria Hales countered that that may not be true if the lot is large enough to swing the density the other way.

Councilman Joe Bowcutt asked if the current acreage would remain and the unit number would decrease with that modification.

Wes Jenkins said that is correct and then they'll need an HOA.

Assistant City Attorney Victoria Hales asked if this plat is ready for approval tonight. Wes Jenkins replied that they will amend the plat later.

Steve Kamlowsky (Development Solutions) explained that lot #51 will turn into common area. We would change this on the final plat, not now. That will be shown and dedicated as common area at that time.

Wes Jenkins clarified that the approval tonight would be for lot 51 to be common area.

Chair Ross Taylor noted that if utilizing lot size averaging, that lot cannot be figured into the lot size averaging.

Wes Jenkins said it will be part of the overall density. You take the total acres divided by the number of lots.

Commissioner Todd Staheli stated that we had this last meeting too where we approved something that wasn't really before us.

Wes Jenkins reiterated that the request is for common area not a residential lot.

Assistant City Attorney Victoria Hales asked if there will be an HOA.

Wes Jenkins said yes, they'll need an HOA that would own and maintain the area.

Assistant City Attorney Victoria Hales asked if this preliminary plat shows us the requirements according to code regarding layout and density.

Wes Jenkins answered it does not accurately show the area that should be common area rather than a lot. Approval is conditioned on the revised lot 51 being shown as common area.

Commissioner Nathan Fisher stated that with lot size averaging there are ways to proceed. If it doesn't meet the standard it then becomes a problem. Can we condition a development agreement?

Wes Jenkins stated that if you pull the lot out and do just the four lots the density is three (3) dwelling units per acre so it will comply on its own. The data box will also need to be revised.

Commissioner Don Buehner asked if lot 51 is common area, does the phase meet the density.

Wes Jenkins said it does.

Commissioner Todd Staheli asked if lot layout is required to vote on a preliminary plat.

Commissioner Nathan Fisher stated the revision can be a condition prior to the Council meeting.

Assistant City Attorney Victoria Hales said it is preferable that the plat be resubmitted prior to City Council and your approval be subject to it being revised.

Wes Jenkins added that there is a staff question: is it enough amenity for an HOA to care for?

Commissioner Nathan Fisher asked if this is this being annexed into the larger subdivision.

Wes Jenkins said it would be part of phases one and two as well as future phases.

Commissioner Don Buehner asked if HOAs are concerns for the Planning Commission to consider.

Wes Jenkins replied they are not.

Commissioner Nathan Fisher added that we've had issues where amenities are needed and then aren't installed and then residents are negatively affected.

Assistant City Attorney Victoria Hales clarified that we look to see if an HOA exists but we do not have a direct interest in their private agreement provisions.



Commissioner Nathan Fisher added that if they are lot sizing the whole project and the new phases can't stand alone they should put in that develop agreement now.

Commissioner Diane Adams asked how many phases are anticipated.

Steve Kamlowsky said phases 1 and 2 are approved. This is phase 3. We anticipate 5 phases total with 75 homes. We've got about 50 approved currently.

**MOTION: Commissioner Diane Adams made a motion to accept 2b subject to the removal of lot 51 from this phase to be defined as HOA common area and that the map and site data be corrected before going to City Council.**

**SECONDED: Commissioner Julie Hullinger seconded the motion.**

Commissioner Nathan Fisher asked that a clarification be made that they are not removing lot 51 but changing the nature from residential lot to common area.

Commissioner Diane Adams corrected the motion to reflect that lot 51 is to be designated as HOA common property.

Commissioner Don Buehner asked if the corrections being made prior to City Council are still part of the motion.

Commissioner Diane Adams said yes that is.

Commissioner Todd Staheli asked legal if that satisfies everything.

Assistant City Attorney Victoria Hales replied there are no concerns with the conditions outlined.

**AYES (7)**

**Ro Wilkinson**

**Don Buehner**

**Ross Taylor**

**Nathan Fisher**

**Diane Adams**

**Julie Hullinger**

**Todd Staheli**

**NAYS (0)**

**Motion carries.**

- C. Consider approval of a preliminary plat amendment for a fifty-six (56) lot residential subdivision for "**Hawthorn Estates – Amendment.**" The applicant is Development Solutions Group, Inc. and the representative is Mr. Steve Kamlowsky. Located at 3000 East Crimson Ridge Drive. Case No. 2015-PPA-005.

Wes Jenkins explained that this originally came in with lots near Crimson and a park area at the intersection of 3000 East and Crimson Ridge. They have come back to add 3 lots south of where the park was and remove the lots east of where the park was. The park is required for future layouts.

Commissioner Nathan Fisher asked if the park would be common area.

Wes Jenkins said that would be a City park. It would be treated as a detention basin and neighborhood park.

Commissioner Nathan Fisher asked if the park is required to be on this plat.

Wes Jenkins stated the next phase and layout will need to incorporate the park.

Councilman Joe Bowcutt asked if the empty area now with no park and no lots is part of this plat or another plat.

Wes Jenkins said it will come in with another phase. They're removing the park area. The legal description is along the lots that exist. They left the blank area to show you where the original approval was.

Commissioner Don Buehner asked if the legal description is only for the lots shown.

Wes Jenkins said right, only the lots shown, and then future phases will account for the rest. They'll have to dedicate the southernmost road.

Commissioner Diane Adams asked if there will be lot size averaging.

Wes Jenkins said yes, they are requesting that. The zone is R-1-10. The smallest lot is 7,004 s.f. 50% or more of the lots have to be larger than or equal to the standard lot size.

Assistant City Attorney Victoria Hales asked if the smaller lots are disbursed or clustered.

Wes Jenkins said they are disbursed throughout the project.

**MOTION: Commissioner Julie Hullinger made a motion to approve 2c and include staff comments.**

**SECONDED: Commissioner Todd Staheli seconded the motion.**

**AYES (7)**

**Ro Wilkinson**

**Don Buehner**

**Ross Taylor**

**Nathan Fisher**

**Diane Adams**

**Julie Hullinger**

**Todd Staheli**

**NAYS (0)**

**Motion carries.**

### 3. **ZONE CHANGE (ZC)**

- A. Consider a zone change from R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size) to PD-R (Planned Development Residential) on 10.26 acres to accommodate a multiple family development project consisting of fifteen (15) dwelling structures which includes 225 apartment units, a clubhouse, two pavilions, and covered garage structures. The project is "**Grayhawk Apartments at River's Edge.**" The property is located between Riverside Drive and the Virgin River and runs from 2200 East to 2450 East (approximately 501 South 2200 East). The applicant is Grayhawk at Rivers Edge LLC and the representative is Mr. Rob Reid, Rosenberg Associates. Case No. 2015-ZC-004. (Staff – John Willis).

John Willis presented the following:

The applicant is Bach Homes and Mr. Kris Kinkade is present. There has been an amendment that was distributed to you and is accurate on the wall as well. In the agenda, it stated there are 225 units and there are 244 units.



*\*John Willis showed a powerpoint.\**

The general plan was changed March of 2014 for high density residential. The application does meet the general plan. This is a proposal to build 244 units on an 11.37 acre parcel. The project will consist of eight 4-story, one 3-story, and three 2-story buildings. Four story buildings will be approximately forty-five (45) feet tall. Two story buildings will be located on the southwest perimeter of the project and will be approximately twenty-three (23) in height. The project will have one three story building, which is located along the northwest border and adjacent to the existing two story townhouses. The existing townhouse property is approximately ten (10) foot higher than the proposed project. The applicant reduced the height to three stories, in order to mitigate the height for the adjacent property. Given the ten feet grade change between properties, the three story building will appear to be two stories to the adjacent property.

There will be 244 units with a density of 21.46 dwelling units per acre. The high density range is 10-22 units per acre so they are at the upper end of that allowance. The parking – they are providing the covered parking and 2 stalls per unit parking. For the guest parking; for every 3 units 1 spot is required. Code states that City Council can reduce guest parking per recommendation from Planning Commission. They are requesting a reduction of 63 parking stalls for a total of 18 guest stalls. There is an engineering firm that studied 3 projects in the community and the applicant will discuss that recommendation. They do meet the 30% open space requirement. They also exceed the 200 s.f. per unit recreation requirement. Access will be on 2450 East and 2200 East. The 4-story building is proposed at 45' in height. Zoning Ordinance does limit the height to 35' unless approved as part of the overall PD zone change.

Commissioner Todd Staheli asked which the 4-story building is.

John Willis said there will be 2, 3, and 4-story buildings. Anything greater than 35' needs approval. Those 4-story buildings will need to be approved as part of the request. Building M is by an existing townhome project with a 10' elevation difference. That building will be 3 stories to reduce impact to that project.

Councilman Joe Bowcutt asked if there is access by the church and on 2450.

John Willis said there is one at 2450. 2200 East will provide access and then 2450 is a primary access.

Commissioner Nathan Fisher asked if 2450 will connect through the project.

John Willis replied it will be just enough to access their project. Typically a developer would improve the roadway adjacent to the subject property.

Councilman Joe Bowcutt: so no through road right now?

John Willis said no.

Councilman Joe Bowcutt asked if 2450 is a through road in the roadway master plan.

John Willis said yes.

Commissioner Julie Hullinger asked if the road by church would be extended.

John Willis answered yes and then the frontage will be improved. The gap not adjacent to their property they will not improve. The gap is City owned property.

Commissioner Nathan Fisher asked if south of the road is private property.

John Willis said the river is to the south. The property is mostly isolated.

Commissioner Nathan Fisher asked if the improvements on 2450 will be the entire width or half. Wes Jenkins said they'll improve from the round-about down. They'll improve that completely. 2450 will be improved on their side only.

Commissioner Nathan Fisher asked what the likelihood of the road being completed is.

Councilman Joe Bowcutt asked if 244 units will be utilizing only 25' of roadway.

Assistant City Attorney Victoria Hales asked staff if 25' is adequate for that number of units.

Wes Jenkins said 25' is sufficient.

John Willis added that there is a TIS being reviewed.

Assistant City Attorney Victoria Hales said it appears there is a south entrance but no road there. Wes Jenkins said they have to provide a minimum of 25' unless TIS indicated they need to provide more.

Councilman Joe Bowcutt said west of 2200 will be wider but I'm concerned that 2450 is only 25' because no one will finish the road on the south end of the development.

Wes Jenkins stated that they are only required what they need for their development. If the TIS and City agrees that is all they are required and then the City has to finish the road.

Commissioner Julie Hullinger asked if there will be a traffic light at the church.

Wes Jenkins said there will be lights north and south of their development. The signal is planned. The TIS for their development states the level of service is still acceptable. By 2020 a signal will be warranted.

Commissioner Nathan Fisher stated that everyone who lives on the west of the development is going to go through the development to go up to the light.

Wes Jenkins added that the City does plan for a park east of this project. I anticipate fields to the east and playground northeast and then the City will finish the road with the park.

Councilman Joe Bowcutt asked if there will ever be access from the west end toward the credit union.

Wes Jenkins replied there will be entrances into the commercial development. There will also be a lift station south of the project and pumped out to Riverside.

Chair Ross Taylor asked that the parking request be clarified.

John Willis stated that code does allow a reduction in guest parking. They need 81 guest spaces per code and they've requested a reduction of 63 so out of the 81 they want to provide 18 guest parking space. The proposal is to provide 2 parking spaces per unit with 244 covered and 244 open and 18 spaces for guest parking for a total of 506. The requirement is 569 so the reduction is for 63 spaces. The parking reduction is a concern of staff. Note – the guest parking reduction needs to be addressed, second is the height in excess of 35' and third is the HDR range to see if their proposal is appropriate in this area. There is a landscape plan that meets code for the open space requirement. There are elevations proposed in the packet and a material board for review.

Commissioner Nathan Fisher asked what types of buildings are in the surrounding area.

John Willis said there is some other high density in the area. There are also commercial uses, a church, Millcreek school and townhouses and then a park and river. It is isolated.



Commissioner Nathan Fisher asked the height of the neighboring complex.  
Commissioner Julie Hullinger said those are 3 stories.

Randy Rindlisbacher (Bach Homes):

*\*showed powerpoint of past and proposed projects\**

We built The Falls at Mesa Point with a density of 17 units an acre and 3 story buildings at about 35'. There are 198 units there. We take pride in our amenities and landscaping. The site and landscape plan has been presented to you. We try to break up the building mass with architectural relief. Buildings A and B are the 2 story garage buildings.

Councilman Joe Bowcutt asked if access to the garages is in from the back of the property. Randy Rindlisbacher replied there is a drive aisle in the interior of the property. Density is a hot topic and we recognize that. It's important to recognize that if you drive past a project you can't really say how many units are there. What's important is what it looks like. That's what we're hoping. Our pool will incorporate a splash pad area, hot tub and gazebos. There will also be a pavilion with fire places. There will also be a fitness center and playground as well as billiards, tanning bed, and sauna. We have 3 color schemes – every building will have the same rock and shingle – the stucco colors will be the same on all which is the accent color – the trim around the windows will also be the same on all. The 2 wall colors are what varies. The lower color is the lower half of the building. There will be java, sage, and slate buildings. The south entrance has the clubhouse and half size buildings.

Commissioner Diane Adams asked what separation will be between this project and the church. Randy Rindlisbacher said there will be the existing retaining wall and then an additional retaining wall 5' away from the existing and then a 6' privacy fence.

Councilman Joe Bowcutt asked if the space between walls will become a no man's land. Randy Rindlisbacher said the gap will be landscaped and maintained by us.

Commissioner Ro Wilkinson asked what lighting will be used.

Randy Rindlisbacher responded that we don't do poles the lighting will be downward facing on the building. We'll have photo metrics done so we don't have light pollution.

Assistant City Attorney Victoria Hales asked how tall the wall shown by building M is.

Randy Rindlisbacher answered that it'll be 6' of the fence wall with retaining beneath. It's all existing – existing is 10' there by the existing townhome and then we'll step back and have another retaining wall.

Assistant City Attorney Victoria Hales stated that the portrayal doesn't seem to meet the code.

Commissioner Nathan Fisher noted that if recommended for approval and the depiction is not accurate per ordinance for the stepping back is that significant?

Randy Rindlisbacher stated that the wall has not been engineered at this point. We've depicted it as accurate as we think it can be but we are not certain.

Commissioner Nathan Fisher asked for clarification if the wall depiction is part of the approval.

Assistant City Attorney Victoria Hales counseled that this is a PD zone so you're approving aspects of the site plan but you are not approving the construction drawings. Those will need to

meet code and they won't be allowed to violate the fence ordinance. However there is concern about the site from the adjacent properties so you may ask how the applicant is addressing that and if it is screened to protect the adjacent townhomes and fence.

Randy Rindlisbacher continued:

Parking per your code is resident parking and guest parking at a total of 2.33 per unit. 10-19-4 – talks about 2 spaces reduced to 1.5 for residents – under guest parking states there is reduction if evidence supports decrease for guests. I have two pieces of evidence we feel merit the decrease. Based on our experience we've created an analysis. The stalls provided per unit, at most, was 2.14 spaces per unit at our complex here at Mesa Point. We do not have a parking problem at any of our facilities. Second – we recognize that we are biased so we asked a third party to look into this matter as well. We hired Hales engineering out of SLC. Their study was here in St. George at 3 facilities. Their study showed that the demand was far less than the supply at each facility. We have provided 2.07 spaces per unit. I feel like that is the best I can do without compromising the project. We have some nice open space area. I'm at 35% open space and only need 30%. If I have to I can eliminate OS and put in parking but I would much rather not do that.

Commissioner Don Buehner said the time of the parking study was when there are probably not guests, from midnight to 4am. You have 81 required guest parking and 18 proposed, please explain.

Randy Rindlisbacher explained that the engineers followed what is recommended per industry standard. The recommendation from the industry is that the greatest parking demand is 12-4am. We're going from 2.33 spaces per unit to 2.07 spaces per unit.

Chair Ross Taylor countered that the study is measuring parking occupancy of the residents and not the guests. You'll find that there's 90% utilization in this study which shows that 2 parking per unit is not unreasonable. How do you deal with only 18 guest parking spaces? When this is established will the resident parking be identified so they're reserved per apartment?

Randy Rindlisbacher said the 1 space per unit covered is reserved. The open parking is first come first serve and has not been a problem with other projects.

Commissioner Todd Staheli asked what the mix is through the project.

Randy Rindlisbacher said there mix is: 50% 2 bed, 20% 3 bed, and 30% 1 bed.

Commissioner Julie Hullinger said I live by The Falls and I've gone there often and there's never a parking problem.

Commissioner Don Buehner asked why 81 guest spots cannot be designated.

Randy Rindlisbacher said it's not common to have 81 guests at the same time.

Commissioner Don Buehner asked how 18 spots were determined.

Randy Rindlisbacher explained that total is more applicable to the project.

Commissioner Don Buehner stated guest parking during the day is typically the problem. 18 spots is not a lot.

Commissioner Nathan Fisher stated the owners of the commercial complex by The Falls have people from the Falls park in their lot because they don't have space closer. They have asked if they can tow so it may be that we might not see it but it does happen at The Falls.



Randy Rindlisbacher stated that the code does allow for a reduction in guest and resident parking. Hales study recommendation was 1.73 – 1.90 spaces per unit would be adequate for this project and our proposal is for 2.07 spaces per unit.

Commissioner Julie Hullinger said there is a concern about traffic coming out of this project. Randy Rindlisbacher said 2450 will be extended west. We'll construct along our frontage and 2200 east. Smiths will extend their frontage as well.

Commissioner Julie Hullinger asked if there is a timeline for completion.

Randy Rindlisbacher said the projects should be running concurrently.

*\*\*Commissioner Nathan Fisher left at 6:55 pm\*\**

Chair Ross Taylor opened the public hearing.

Cameron Ferguson – SunRiver – the parking is about a 70% reduction. If this development can reduce then any development can reduce that much. The time of midnight to 4am is not when guests are visiting. We haven't talked too much about why the buildings are so high. It seems that a lot of the presentation is about what could be done in the future and I don't see how that correlates. I don't understand why there is a rule that can be thrown out the window. The reduction is very significant.

Rob Reid (Rosenberg) stated that what the Planning Commission needs to establish is if reducing the parking for residential units is appropriate and once that is established your guest parking increases. The retaining walls will be to code. The reduction is 2.1 spaces for the units overall but if you look at just the amount per unit is 2. There is an allowance of 1.5 for residential units. If that is determined your guest parking will increase. If it is appropriate to reduce from 2.0 to 1.5 per resident then the guest argument goes away.

Commissioner Diane Adams asked what percentage of the units are 1 bedroom.

Randy Rindlisbacher replied: 30% 1 bed, 2 bed 50% and 20% 3 or 4 bedroom mix

Chair Ross Taylor noted that it would seem that a 4 bedroom and 3 bedroom would use 2 stalls. It is realistic to require 2 per unit. Your study identifies that when no visitors are there the occupancy was 1.7 to 1.9.

Randy Rindlisbacher – right, but there are no guests. The open parking can function as resident or guest.

Oliver Smith said that a reduction in parking calls for a good transit system.

Wayne Conners – my concern is that parking is always a problem. I see there is no public transit in this area and this is a long complex. If there are only 18 units for guest parking you may be walking quite a ways.

Barbara McGloclan stated that pushing aside regulation doesn't bode well for the future.

Chair Ross Taylor noted that the ordinance does allow for it. The Planning Commission can determine what is in the best interest of the community. It's not for all ordinances it is specific to parking.

Chair Ross Taylor closed the public hearing.

Randy Rindlisbacher added to the parking argument stating the code requires 2 per unit and .33 for guests. One way to look at this is that I'm not lowering guest but lowering resident from 2.0 to 1.7ish. Those open spaces are a dual function and I don't want to lose those. The code says it can be reduced if evidence supports it.

Commissioner Todd Staheli asked if the project could meet code by utilizing the 5% extra open space available.

Randy Rindlisbacher said no; we would have to reduce density. I don't want to add parking that will sit empty when I can have usable open space.

Assistant City Attorney Victoria Hales asked if the guest parking being within so many feet, as required by code, has been addressed.

Randy Rindlisbacher said no, but I am aware of the 200' requirement. The covered parking is the reserved so the open parking is closer to the buildings.

Councilman Joe Bowcutt stated that he would park in the open stalls because it's closer to the building rather than in an assigned covered spot.

Chair Ross Taylor asked if the applicant would be willing to go from 2.07 to 2.1 spaces.

Randy Rindlisbacher said it could be considered but open space would be lost.

Commissioner Don Buehner countered that the density could be reduced as well.

Randy Rindlisbacher said there are 61 empty spaces at The Falls. For me to add more when there are so many empty doesn't make sense.

Commissioner Diane Adams asked if the complexes in the study were at 100% occupancy.

Randy Rindlisbacher said they were.

Commissioner Diane Adams noted that there are 8 buildings at 4 stories. If you reduce 2 buildings to 3 stories, what would the density translate to?

Randy Rindlisbacher stated that 16 units would be lost if you lowered 2 buildings. I would be reluctant to lose density. I feel that 2.07 parking is not only adequate but really in excess.

Assistant City Attorney Victoria Hales counseled that code does require the standard parking unless you determine that the parking should be reduced based on evidence. Our code is based on evidence when the code was drafted that those spaces would be needed. You may vary based on evidence, and any parking reduction needs findings.

Commissioner Don Buehner noted that 8 of the buildings go over the 35' standard.

Commissioner Todd Staheli asked if the 3 story buildings are within the 35' height restriction.

Randy Rindlisbacher said he wasn't sure about the height of the 3 story buildings.

Commissioner Don Buehner continued: you're asking for variations and you have presented good evidence. It is a unique location. It does sit in an isolated area. If you have parking problems – buildings K and L will have the least amount of parking whereas the others have more spaces. Building M is a large building with limited parking near it. One option is that we recommend that 6 of the 8, 2-story buildings be approved for height variation and the other we recommend fall within the 35' height restriction. If I look up in that funny corner your parking



congestion will be up there by building M. I see that being a problem area. I don't know that it would be wise for 8 buildings to exceed the height.

Randy Rindlisbacher agreed that there are fewer spaces in that area of the project, however building M we've already lowered to 3 stories rather than 4. The parking at 2.07 is excessive.

Councilman Joe Bowcutt noted that this type of project is badly needed in our area. The location is wonderful. Concessions are going to need to be made both ways to make this work. The overall is wonderful but the City and developer need to make additional concessions to make this happen.

Assistant City Attorney Victoria Hales counseled that the Planning Commission recommendation can be with conditions about parking and density and then City Council reviews your recommendation. This project is in the general plan as high density residential which is 10-22 units and the request is for 21+. He has requested the highest density, a reduction in parking, and a height increase. You can review access and traffic flow. The reduction in parking is 63 spaces.

Chair Ross Taylor said we need to move forward and consider a compromised proposal. Councilman Joe Bowcutt said many times when a project like this comes forward there is neighbor out to complain and there are none out here tonight. It seems like the perfect scenario if the differences can come to an agreement.

Commissioner Todd Staheli asked how tall the 4 story buildings are.

Randy Rindlisbacher said 45'8" is the tallest. I ask that you approve this with conditions so I can move forward and discuss this with the other owners as well.

John Willis added there are 8 4-stories buildings at a maximum height of 45'8", there is one 3 story, three 2-story, and one 1-story.

**MOTION: Commissioner Don Buehner made a motion to recommend approval for the project with the condition that 6 of the 8 buildings be considered for a height variance rather than 8. I recommend City Council approve this zone change for Grayhawk at River's Edge because we feel, based on the evidence and comments tonight, that this is a good addition to the community. The conditions are to address 3 requests: 1 is parking per unit, 2 is height, 3 is density. It is appropriate to consider concession to have 6 buildings rather than 8 be permitted a height variance.**

**Commissioner Todd Staheli asked that the motion specifically call out buildings K and L be restricted to 35'.**

**Commissioner Don Buehner clarified that the recommendation is that buildings C, D, F, G, H and J be granted up to 45' 8" but buildings K and L must fall within the 35' limit.**

**Assistant City Attorney Victoria Hales asked about the parking reduction.**

**Commissioner Don Buehner stated that he wasn't sure of the exact math but the applicant did produce evidence for the reduction.**

**Assistant City Attorney Victoria Hales asked if the intent is that the reduction in density will address the parking.**

**Commissioner Don Buehner stated that the recommendation is that the variance in parking be granted. We don't ask for increase in parking; spaces will not be gained but**

there will be a better percentage per unit with the reduced density.  
**Chair Ross Taylor clarified that the parking will remain at 506 stalls which is 2 per unit plus 50 guest.**  
**John Willis stated the reduction would be 31 spaces.**  
**SECONDED: Commissioner Julie Hullinger seconded the motion.**  
**Chair Ross Taylor clarified that the motion is for 35' max for K and L and the parking is to stay at 506 spaces with reduced density.**  
**AYES (6)**  
**Commissioner Ro Wilkinson**  
**Commissioner Don Buehner**  
**Chair Ross Taylor**  
**Commissioner Diane Adams**  
**Commissioner Julie Hullinger**  
**Commissioner Todd Staheli**  
**NAYS (0)**  
**Motion carries.**

*\*\*Break at 7:40 PM\*\**

*\*\*Meeting resumed at 7:48 PM\*\**

- B. Consider a zone change request to rezone 76.42 acres to allow Part #1) Amendment No. 6 to the **St George SunRiver Planned Development Zone** (SunRiver PD) to move approximately 30 acres of the Interchange PD into the SunRiver PD, and to update its land use to become PD-R (Planned Development Residential), Part #2) allow an Amendment No. 2 to the 'Atkinville Area Zone Plan' (Interchange PD) to update the balance of the property to join the existing 8.1 acres Community Commercial (CC) as defined by the **Atkinville Interchange PD** which will increase the amount of CC to 27.9 acres, and Part #3) to update the location of **the signage** parcel used for advertising the SunRiver St George community. Note that the above actions include elimination of the 'Employment 2' and the 'RV Park Land' uses. The property in Part # 1 & #2 is generally located westerly of Pioneer Road and northerly of Bluegrass Way. The property in Part #3 is generally located south of the Atkinville Wash, west of the I-15 Freeway, and east of the residential lots 2122 thru 2128 along Silk Berry Drive. The property owner is the State of Utah (SITLA - State Institutional Trust Land). The applicant is SunRiver St George Development, LC in cooperation with SITLA and the representative is Mr. Scott McCall. Case No. 2015-ZC-005.  
(Staff – Ray Snyder).

Ray Snyder presented the following:

This is on approximately 76 acres. Properties surrounding this area are PD-C and PD-R. This is near fire station 8 and the new hobby and storage garages. The main thrust is to bring in more residential area for single family homes and to take away some of the commercial area. The before and after graphics show the proposed changes. The idea is to remove the employment area and RV park. They would also change the RV and hobby area to be part of the commercial area. There is an agreement and CCRs for this



area saying it is a hobby area and no business licenses are allowed there. The SunRiver master plan came forward in 1997. There are currently about 1800 residences and many amendments to expand the overall area. The interchange was approved in 2007 for 516 acres known as Southblock. Previously the amendment for Southblock did give land to the SunRiver PD. The proposal is to take about 30 acres from the Interchange PD and transfer it into the SunRiver PD. The hobby huts and storage garages are permitted in the community commercial parcel which is reasonable. They don't belong in a residential zone so the commercial zoning is an appropriate designation. SunRiver shows the 48.7 acres that would be residential and their design standards. The Community Commercial (CC) by Interchange has been commercial for many years.

Scott McCall added that the sign location is also up for consideration. The existing sign is located along the freeway and we just want to move it south 200'. We also wanted to extend the timeline on the sign which would have expired in March 2017. The sign is moving because construction is heading that way. The other thing that would make the sign go away is if the last lot sells. Nothing else about the sign is changing. We'll be back with preliminary plat(s) in a few weeks or months. Otherwise staff presented very well the 3 different aspects. We're moving the boundary and changing the land use.

Chair Ross Taylor opened the public hearing.

Larry Sandall, SunRiver resident - I have one comment and four questions. The comment is that many of the original lot owners paid a premium to the developer for the outside perimeter lots on Ambassador Drive. There are 21 lots on the north side of ambassador to the bike path and then the new area. This new development would block the view of the existing home owners who paid premiums. Questions – if used for additional homes for SunRiver, which is a 55+ community, it may impact the HOA and financial situation. Has SunRiver informed the HOA? The new lots are about 155, are they part of the 2,391 restriction for the overall SunRiver development? Has the developer calculated the impact to the HOA for streets and other such improvements? Finally – there is an amenities and facility committee. Does the developer have plans to increase and improve the facilities?

Cheryl Sandal – the parameters of homes and the elevation of development is a concern to me. Can the number of homes change during the rest of the process or is this approval final? Will the home elevations be the same as the RV storage or lower? If they are the same as the RV storage, it can be issue to those on Ambassador and ruin their views. I did not know if there would be a pocket park in this area.

Barbara McGlocklan – I have similar concerns but I am more concerned about those on Carmel Bluffs where they are currently building. There is a lot of blasting being done. I'm on the corner of Ambassador and would be close to this. If they do blasting how do they mitigate that and prevent that from ruining surrounding homes. What about dust abatement?

Wayne Conners – I agree with what has been said so far. I got 165 lots out of my calculation. That increases the population by about 300 people. The facilities are pretty much maxed out and the parking is a problem. If 165 more units are approved they'll come to the community center and need more parking. I would like the developer to meet with the current residents and address these issues. The amendments did not include more units.

Scott McCall replied that it was the original approval. Right now we're at 1850 units built out. The approval was just under 2300.

Wayne Conners asked if in the amendments there was an increase in permitted units.

Scott McCall said no, we've decreased the number of units. There are 166 units for this proposal.

Wayne Conners- concerns also with hills and valleys. We are suffering in some places where they have scraped the high areas and filled the low. My floor has popped up an eighth of an inch... and soil compaction issues exist as they go through and build out. Contractors in this area don't think much about compaction. Secondary item would be the building code should require swales round a house to get rid of water. My house gets a puddle in the back and the water is trapped. Other neighbors have the same problem and it's a major concern. Other than loss of privacy for those on Ambassador, there needs to be an expansion of the community center and other recreation areas.

Claudia Matthews asked if the added lots will be part of SunRiver Community and not family dwellings with children.

Chair Ross Taylor noted that most of the questions tonight need to be addressed by the HOA.

Scott McCall said that there will be 166 units for this project. There has been an ongoing discussion with SunRiver if amenities are over taxed or not. Management has been trying to encourage different timed activities to help relieve the recreation center. A lot of the amenities are under-utilized depending on time of day. That being said there are discussions between the developer and the board. The developer is no longer the declarant. The HOA and board runs the management company. The developer retains certain rights to finish developing the remaining properties and there was an expandable area in the CCRs that we were allowed to bring in without consultation. We gave up all of those parcels except for this one. This area was always planned on and the board has been aware. There may be additional negotiations for another parcel but that is in the HOA control. Most of these things are voted on. There are several pocket parks in this parcel and even some that are not shown. There is, at the northwest, a mail box park, and an easement to cross City property for golf cart and pedestrian access. Lots of landscaping and two other parks are on the east side. As for blasting – you just have to be really delicate. These are trained professionals and if there is any damage we are on it right away.

Commissioner Todd Staheli asked how the blasting is handled. The damage isn't always immediate.

Scott McCall noted that SunRiver will hear blasting from the mine because those are big blasts. We do blasting 100' from a home so it's a different blast. It's shallow and small with limited wave lengths. The shock value has to be proven. There are soil tests and compaction tests. St.



George does follow the International Building Code. There are soil engineers and testers for roads and the pads. Our landscaper hates landscaping our pads because our compaction is so well done. The topography is similar to what we've done in phases 10, 11, and 12. There will be homes at a slightly higher elevation. There is a swale in the natural drainage on the west side of the project. There are people disappointed that there will be homes across but they will be just as nice and tidy as the homes that exist. Problems with water in the backyard we need to know about that in the warranty office.

Cheryl Sandal asked if the homes will be as high as the RV pads or lower.

Scott McCall said they will be close to what the grades are across the way. It'll be similar to the current profile.

Commissioner Don Buehner asked if there is an HOA budget impact. Is that something you can address?

Scott McCall said that everyone pays the fees and there's a management company with professional accountants handling the financing.

Commissioner Todd Staheli asked if there have been discussions regarding the recreation facilities.

Scott McCall replied that that is a constant conversation.

Commissioner Todd Staheli noted that the size of the project is increasing.

Scott McCall countered that this is still within the overall unit approval.

Oliver Smith said my big concern is the compacting. The developer was released from the HOA and all liability on the sidewalks and such is with the HOA. They replaced some sidewalks because they cracked and sunk and some of those are already cracking and sinking again. If approved the original developer needs to be made liable for streets, sidewalks, and homes. If you get a high-moisture year there is going to be a lot of damage.

Barbara McGlocklan asked for clarification on what to do when there is cracking.

Scott McCall said call the warranty office. Call us and we'll come look at it. If it's from blasting we will fix it but that has to go through the warranty office. We do compact our area. It's a third party contractor. Sidewalk all over the City goes bad and has to be replaced. We hold our contractors liable because we have to deal with things that don't work. If things break before a reasonable warranty we're stuck with it so we monitor it.

Less Price – Riverstone – the road from Sandpiper goes into Riverstone. I'm not sure how the roads will handle the traffic or if they'll come through our development. We do have families with children through there. My concern is if the roads drawn can handle the traffic.

Jim Duranco – I'll be an unfortunate one right next to this and was charged the premium lot price. We bought this to have the large vacant area in our backyard. Now this is going away. What happened to that premium? I want to see that premium come back to us.

Scott McCall responded that people may have been promised things wouldn't be developed but we know that's not how it works. Land gets developed. Things like premiums or perpetual views are not promised. This property could have been anything and I think they'll be happy with our development. As for Sandpiper – people coming into this area will come from Pioneer

Road, which is a public street, onto Sandpiper which is a 66' public road. The interior roads will be private. People will come from Pioneer not Sandpiper.

Commissioner Diane Adams asked where traffic will come through during construction.

Scott McCall said that Sandpiper will meet Riverstone. You want to have as much connectivity as possible but the size of the road will help dictate what route people will choose to go. The straight road from the development to Pioneer has good site distance.

Chair Ross Taylor closed the public hearing.

Ro Wilkinson asked if this will continue as a 55+ development.

Scott McCall said yes, it will be an extension of SunRiver.

Commissioner Don Buehner clarified that the request is from RV Park to residential so there never was an open space area. So the request is from RV and Commercial to residential?

Scott McCall said that's right it was the RV Park and Employment area. We're changing our boundary and the uses listed.

Commissioner Todd Staheli – so you're not changing from OS because it never was OS.

Scott McCall – right.

Assistant City Attorney Victoria Hales asked if the intent is to add this acreage to the original PD text.

Scott McCall said yes, that is the intent.

Assistant City Attorney Victoria Hales added that you'll have to comply with the PD text about open space and density.

Scott McCall said that's all covered and we'll comply with the PD text.

Commissioner Diane Adams noted that in her review the request stays within the original 2391 unit approval and they're still under, there is golf cart access, there will be 1 story houses like the are existing, and I'm happy to not see the commercial right there. I've watched a lot of growth out there and I've been happy with it and enjoy the area.

**MOTION: Commissioner Julie Hullinger made a motion to approve item 3B.**

**SECONDED: Commissioner Todd Staheli seconded the motion.**

**Commissioner Don Buehner asked that reasons for supporting the change be stated.**

**Commissioner Julie Hullinger said they are under their units and they acquired the property a few years ago.**

**Chair Ross Taylor said it is in harmony with the pattern of SunRiver and there isn't a significant change.**

**AYES (6)**

**Commissioner Ro Wilkinson**

**Commissioner Don Buehner**

**Chair Ross Taylor**

**Commissioner Diane Adams**

**Commissioner Julie Hullinger**

**Commissioner Todd Staheli**

**NAYS (0)**



**Motion carries.**

4. **CONDITIONAL USE PERMITS (CUP)**

- A. Consider a request for permission to establish “**Freedom Towing**,” a towing and impound yard in the Ft Pierce Industrial Park. The property is located at 4379 Progressive Drive and is zoned M-1 (Industrial). The applicant and representative is Mr. Sterling Norton. Case No. 2015-CUP-003. (Staff – Ray Snyder).

Ray Snyder presented the following:

The code says that such use is permitted with a conditional use permit. The applicant did obtain approval from the property management in Fort Pierce. There are typically 6-20 vehicles on site. The average vehicle is stored for 2-10 days. Vehicles after 30 days are sent to auction. There is no salvage. The property is already screened and landscaped.

Assistant City Attorney Victoria Hales asked if any additional paving is needed.  
Ray Snyder said no.

Chair Ross Taylor asked what the surface is for the property.

Sterling Norton said there is gravel in the back but the front parking is paved.

Commissioner Todd Staheli asked if the vehicles are stored behind the building.

Sterling Norton said they are stored behind a block wall.

Commissioner Todd Staheli noted that the letter from Fort Pierce says behind building and out of view.

Sterling Norton said vehicles will be behind the building in the yard.

Commissioner Ro Wilkinson asked if there are contracts with insurance companies.

Sterling Norton said he has contracts with the highway patrol and police department.

Commissioner Todd Staheli asked counsel if approval stays with the land and not the applicant.  
Assistant City Attorney Victoria Hales said yes the approval stays with the land.

Councilman Joe Bowcutt clarified that this is an impound yard only.

Sterling Norton said there will be impound with an office and equipment.

Commissioner Todd Staheli asked how much equipment is on site.

Sterling Norton said there are five tow trucks.

Assistant City Attorney Victoria Hales reiterated that a CUP runs with the land and the commission needs to address the findings and note that he has to comply with the fencing and paving and other requirements of the zone.

**MOTION: Commissioner Diane Adams made a motion to recommend approval of Item 4A, CUP for towing and impound yard subject to meeting all the applicable codes in the area and based on the Fort Pierce management approval.**

**Assistant City Attorney Victoria Hales asked that the findings be addressed.**

**Commissioner Diane Adams added that the applicant must mitigate any detrimental findings as noted in the staff report.**

**SECONDED: Commissioner Todd Staheli seconded the motion.**

**AYES (6)**

**Commissioner Ro Wilkinson**

**Commissioner Don Buehner**

**Chair Ross Taylor**

**Commissioner Diane Adams**

**Commissioner Julie Hullinger**

**Commissioner Todd Staheli**

**NAYS (0)**

**Motion carries.**

- B. Consider a request for a Conditional Use Permit to construct a detached accessory structure with a maximum ridge height of approximately twenty-one feet (21') and wall height of approximately fourteen feet (14') for personal auto and RV storage. The structure will be lap siding with a tile roof and be 1,000 s.f. (50' x 20'). The applicant is Mr. Jared Wade. The property is zoned RE-37.5 (Residential Estates, 37,500 s.f. minimum lot size). Case No. 2015-CUP- 004. (Staff – John Willis).

John Willis presented the following:

There is one aspect of this for the CUP and that is the overall height of 21'. There is not a wall height as in other zones so we're only looking at the overall height. They are proposed at 10' from side and 10' from rear so are outside of any easements. They do propose lap siding which is consistent with the existing home. It does meet the zoning requirements. Findings A-K did not need to be mitigated.

Commissioner Todd Staheli asked if there were any calls regarding this request.

John Willis said no calls were received for this item.

**MOTION: Commissioner Todd Staheli made a motion to recommend approval of item 4B CUP with the findings as listed; the aesthetics meet and are similar to home and approve the height of 21'.**

**SECONDED: Commissioner Diane Adams seconded the motion.**

**AYES (6)**

**Commissioner Ro Wilkinson**

**Commissioner Don Buehner**

**Chair Ross Taylor**

**Commissioner Diane Adams**

**Commissioner Julie Hullinger**

**Commissioner Todd Staheli**

**NAYS (0)**

**Motion carries.**

## 5. MINUTES

Consider approval of the minutes from the September 16, 2014, October 14, 2014, October 28, 2014, and November 18, 2014 meetings.



October 28, 2014 minutes were not ready for approval.

Suggested edits were as follows:

Chair Ross Taylor - Sept 16, page 10, pp2, last sentence – Thompson Mansion “one lock”

**MOTION: Commissioner Ro Wilkinson made a motion to approve the minutes for September 16, 2014, October 14, 2014 and November 18, 2014 with the suggested edits.**

**SECONDED: Commissioner Don Buehner seconded the motion.**

**AYES (6)**

**Commissioner Ro Wilkinson**

**Commissioner Don Buehner**

**Chair Ross Taylor**

**Commissioner Diane Adams**

**Commissioner Julie Hullinger**

**Commissioner Todd Staheli**

**NAYS (0)**

**Motion carries.**

### **ADJOURN**

**MOTION: Commissioner Todd Staheli made a motion to adjourn.**

**SECONDED: Commissioner Julie Hullinger seconded the motion.**

**AYES (6)**

**Commissioner Ro Wilkinson**

**Commissioner Don Buehner**

**Chair Ross Taylor**

**Commissioner Diane Adams**

**Commissioner Julie Hullinger**

**Commissioner Todd Staheli**

**NAYS (0)**

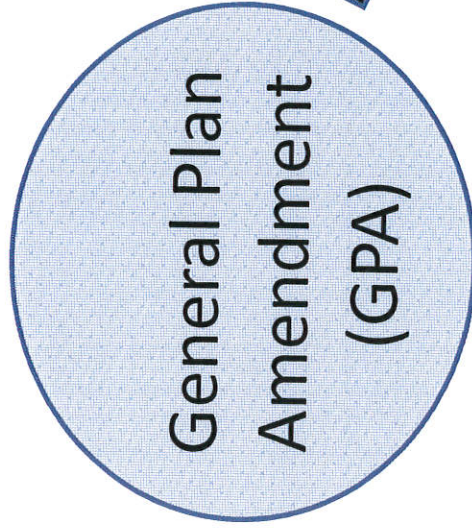
**Meeting adjourned at 9:01 pm.**

# GPA Overview

DRAFT



# Simplified Process Overview



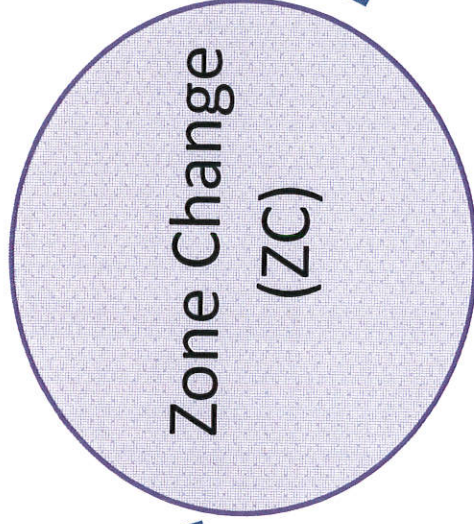
## Step 1

Public hearings before PC & CC

-----  
*Issue: Is the land use (i.e. commercial, residential, etc. suitable for a particular location?*

*The intersection of arterial streets (4-5 lanes) is generally a good location for commercial services.*

*Size (scale) of a particular land use not determined at General Plan level; usually shown as a 'bubble' or 'node' on a map.*



## Step 2

Public hearings before PC & CC

-----  
*More detailed review of a particular land use; scale (size & height) of development, buffers, & compatibility w/ adjacent land uses and traffic.*



## Step 3

Review by staff of engineered drawings for compliance with all applicable codes & standards.



# Where is this project in the Process?

GOAL	RES	AG	COM	IND	CATEGORY
Final Product	Final Plat	Final Plat	Final Plat	Final Plat	Occupancy & Operation (C.O.) (Bus. Lic.)
Design	Preliminary Plats	Preliminary Plat	Preliminary Plat	Preliminary Plat	Ordinances (Zoning Ordinance compliance)
How Used	R-1 RCC RE R-2 R-3 PD-R	A-1	C1 C2 C3 C4 PD-C	M1 M2 PD-I	Zoning (ZC)
What is the desired Land Use ?	Residential ?	Agricultural ?	Commercial ?	Manufacturing & Industrial ?	General Plan (GPA)



# What is Public “Clamor”

*noun* clam·or \ˈkla-mər\

: a loud continuous noise (such as the noise made when many people are talking or shouting)

: a loud or strong demand for something by many people

## Full Definition of CLAMOR

1

**a** : noisy shouting

**b** : a loud continuous noise

2

: insistent public expression (as of support or protest)

## Examples of CLAMOR

1. A *clamor* outside woke them in the night.
2. city streets filled with *clamor*
3. a public *clamor* for an arrest in the case
4. There is growing *clamor* for reform.

## 5. Origin of CLAMOR

6. Middle English, from Anglo-French *clamour*, from Latin *clamor*, from *clamare* to cry out — more at CLAIM
7. First Known Use: 14th century

## From the Park City

### "Citizen's Public Hearing Handbook

(Last updated June 2014)

#### **F. Demystification and Deconstruction: The Utah Public Clamor Doctrine.**

"Public Clamor" is simply citizen opposition (regardless of facts or technical compliance) to an application or decision by the reviewing body acting in an administrative or quasi-judicial capacity. It usually involves the protests and concerns of interested and often neighboring property owners who object to the matter before the reviewing body, such as a conditional use permit application as presented to the Planning Commission.

The "Public Clamor Doctrine" states that while "there is no impropriety in the solicitation of or reliance on the advice of neighboring landowners, the consent of neighboring landowners may not be made a criterion for the issuance or denial of a conditional use permit." Thurston v. Cache County, 626 P.2d 440, 445 (Utah 1981). A reviewing body presented with an application must rely on facts, and not mere emotion or local opinion, in making such a decision whether to

deny or approve such application. A reasonable basis on the record must exist to support the decision, not just a straw vote by neighbors.

In other words, the governing body may take into consideration the public input surrounding an application since it is within the scope of due process to allow for public hearings and to allow any interested parties to give information and to present ideas on the matter at hand. However, the governing body cannot solely base its decision on "for" or "against" opinions in rendering its decision. It is the duty of the governing body to gather all available, pertinent information from all possible sources in rendering its decision and apply the applicable standard of review. Accordingly, citizen petitions stating merely support or opposition to a project are of little use in an administrative proceeding such as a CUP application. On the other hand, public input regarding facts that apply to the application (actual data regarding impacts such as traffic, noise, development conditions, parking, safety, etc.) are very useful. Getting this data is a heavy burden on neighbors when faced with technical information from staff and/or the applicant's experts. If you can't research the matter further, you may offer testimony based upon your personal observations that either support or contradict the evidence offered by staff or applicant. Another option may be to request that the reviewing body direct staff or the applicant to further research a particular issue and return with the information.



**\*\*Testimony tip\*\***

**Correctly frame your testimony by starting with: "This application is/is not consistent with the code because..."**

**Example:**

**Public Clamor:** "We don't want Wal-Mart. We hate Wal-Mart. Why don't you listen to us? We have 100 signatures that say NO WALMART."

**Good Testimony:** "This application is inconsistent with the area planning recommendation of the General Plan that says big box retail should be avoided due to its negative impacts on existing small retail and our pedestrian oriented business district. The specific application is inconsistent with the applicable CUP criteria because [need to specify]".

The public clamor doctrine has no application when a legislative body acts in a legislative capacity. Gayland v. Salt Lake County, 358 P.2d 633, 635-36 (Utah 1961). In other words, when acting in a purely law making, altering, amending, or repealing capacity, the public clamor doctrine has no affect on decisions made by the governing body. This is because when acting in a legislative capacity a body is acting in a direct representative manner of the citizens to determine public policy, rather than applying existing administrative criteria in a process that must also respect the due process rights of the Applicant. Similarly, state initiative and referendum options are only applicable to legislative matters, and not administrative land use decisions. An LMC amendment is subject to voter referendum, but the approval of a CUP is not.

(Booklet)

# Handbook for Planning Commissions and Land Use Authorities



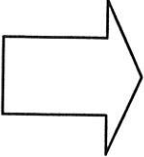
Utah League of Cities and Towns  
2000

## 5. Public Hearings, Public Meetings and Notice

A public hearing is required by law for many things that a planning commission may be involved in and can be held by many planning commissions on other matters as a matter of routine. It is different than a public meeting and this misunderstanding often leads to long meetings. All public hearings are public meetings but not all public meetings are public hearings. Here are the definitions from Utah state law. (SEE BOOKLET)



- • • It is never appropriate to poll the members of the public in attendance at a meeting to see what they think. While what they say matters, the volume and number of repetitions does not. A public hearing should be a time that the planning commission listens and learns. It is not a time to convince or argue with the public.



Public hearings can become quite contentious. It is the duty of the chair of the meeting to see that they are kept in control. The best way to do this is to establish clear rules for the public hearing. Those rules can include reasonable limitations on the time each speaker is given and the conduct of the speaker. What is reasonable depends on the issue, the number of people present and the time constraints of the meeting. One good way of keeping a public hearing on track is for the chair to keep members of the council and city staff from responding directly to the member of the public who is speaking. It is very tempting to try to correct misstatements made in a public hearing, but this is rarely helpful. It leads to unnecessary confrontation and argument.